

MARKUP OF: H. RES. 755,  
ARTICLES OF IMPEACHMENT AGAINST  
PRESIDENT DONALD J. TRUMP  
VOLUME III

---

HEARING  
BEFORE THE  
COMMITTEE ON THE JUDICIARY  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED SIXTEENTH CONGRESS  
FIRST SESSION

DECEMBER 11–13, 2019

**Serial No. 116–69**

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WASHINGTON : 2020

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U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

December 2, 2019

MR. JASON LEOPOLD  
BUZZFEED NEWS  
7TH FLOOR  
1630 CONNECTICUT AVENUE NW  
WASHINGTON, DC 20009

FOIPA Request No.: 1432673-000  
Civil Action No.: 19-cv-01278  
Subject: All 302's of individuals who were  
questioned/interviewed by FBI Agents working for the  
Office of Special Counsel Robert Mueller

Dear Mr. Leopold:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find checked boxes under applicable statutes for the exemptions asserted to protect information exempt from disclosure. The appropriate exemptions are noted on the processed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely pursuant to applicable exemptions. An Explanation of Exemptions is enclosed to further explain justification for withheld information.

## Section 552

☒ (b)(1)☐ (b)(2)☒ (b)(3)Federal Rules ofCriminal Procedure 6(e)50 U.S.C § 3024(i)☐ (b)(4)☒ (b)(5)☒ (b)(6)☒ (b)(7)(A)☒ (b)(7)(B)☒ (b)(7)(C)☒ (b)(7)(D)☒ (b)(7)(E)☐ (b)(7)(F)☐ (b)(8)☐ (b)(9)

## Section 552a

☐ (d)(5)☐ (j)(2)☐ (k)(1)☐ (k)(2)☐ (k)(3)☐ (k)(4)☐ (k)(5)☐ (k)(6)☐ (k)(7)

506 pages were reviewed and 231 pages are being released.

- ☒ Deletions were made by the Department of Justice/Office of Information Policy. To appeal those denials, please write directly to that agency.

Please see the paragraphs below for relevant information specific to your request and the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- ☐ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- ☐ This information has been referred to the OGA(s) for review and direct response to you.
- ☐ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. "Part 1" of the Addendum includes standard responses that apply to all requests. "Part 2" includes additional standard responses that apply to all requests for records on individuals. "Part 3" includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

Although your request is in litigation, we are required by law to provide you the following information:

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, D.C. 20001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Please direct any further inquiries about this case to the Attorney representing the Government in this matter. Please use the FOIPA Request Number and/or Civil Action Number in all correspondence or inquiries concerning your request.



See additional information which follows.

Sincerely,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division

Enclosures

**Additional Information:**

In response to your Freedom of Information/Privacy Acts (FOIPA) request, enclosed is a processed copy of Bates Stamped documents, FBI (19-cv-1278)-504 through FBI (19-cv-1278)-1009. The enclosed documents represent the second interim release of information responsive to your request. To minimize costs to both you and the FBI, duplicate copies of the same document were not processed.

Additionally, included in this release are 50 pages of previously processed material. This material is being provided to you per a court order. This material consists of Flynn 302's Bates 17-cv-397-1 through 17-cv-397-10, Comey 302's FBI 18-cv-00932-1 through FBI 18-cv-00932-6, and Ohr 302's FBI(18cv2107)-1 through FBI(18cv2107)-34.

## FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum includes information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes additional standard responses that apply to all requests for records on individuals. Part 3 includes general information about FBI records. For questions regarding Parts 1, 2, or 3, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." Previously mentioned appeal and dispute resolution services are also available at the web address.

## Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIA [5 U.S.C. § 552(c) (2006 & Supp. IV (2010))]. FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the [www.fbi.gov/foia](http://www.fbi.gov/foia) website.
- (ii) **National Security/Intelligence Records.** The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1), (b)(3), and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C § 3024(i)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

## Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

## Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. A reasonable search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (FBIHQ), FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide and includes Electronic Surveillance (ELSUR) records. For additional information about our record searches visit [www.fbi.gov/services/information-management/foipa/requesting-fbi-records](http://www.fbi.gov/services/information-management/foipa/requesting-fbi-records).
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheets. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at [www.fbi.gov/about-us/cjis/identity-history-summary-checks](http://www.fbi.gov/about-us/cjis/identity-history-summary-checks). Additionally, requests can be submitted electronically at [www.edo.cjis.gov](http://www.edo.cjis.gov). For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **The National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

## EXPLANATION OF EXEMPTIONS

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could reasonably be expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

### SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy; for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

## FEDERAL BUREAU OF INVESTIGATION

FOI/PA

## DELETED PAGE INFORMATION SHEET

Civil Action No.: 19-cv-1278 / 19-cv-1626

FOIA: 1432673-000 / 1433273-000

PDF Title: 19-cv-1278 Release 2 Bates 504-1009

Total Withheld Pages = 275

Bates Page Reference	Reason for Withholding (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
FBI(19cv1278) 555	b5 per DOJ/OIP
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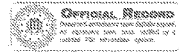


b7E

FD-302 (Rev. 5-8-10)

- 1 of 5 -

## FEDERAL BUREAU OF INVESTIGATION



Date of entry 06/12/2018

Richard Gates was interviewed at 395 E Street SW, Washington, D.C. in the presence of his attorney, Tom Green. Present for the interview were Supervisory Special Agent (SSA) [REDACTED] Special Agent (SA) [REDACTED] Senior Assistant Special Counsel (SASC) Andrew Goldstein, and SASC Greg Andres. After being advised of the official identities of the interviewing parties and the nature of the interview, Gates provided the following information:

b6  
b7C

After the 2016 Presidential election, Gates spent November 10 - November 13, 2016 at Trump Tower. On November 13, Gates became the Deputy Chairman for the Inauguration and went to Washington, D.C. to work on the presidential inauguration.

In the transition period, Gates had less contact with Flynn than he had during the campaign period. Gates estimated he had a handful of calls with Flynn and that they discussed potential cabinet officials, special assistant positions, how many people Flynn wanted to invite to the inauguration, and other logistics matters.

Gates had a little more contact with KT McFarland than he did with Flynn. He had gotten to know her on the campaign and thought they had good chemistry. Gates thought of McFarland as one of a few people capable of breaking down things so that [then-candidate] Donald Trump could understand. McFarland sat through a lot of personnel decisions and interviews.

b6  
b7A  
b7B Per DOJ/OIP  
b7C

Investigation on 04/18/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 05/15/2018

by [REDACTED]

b6  
b7C  
b7A  
b7E

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FBI(19cv1278)-504

Continuation of FD-302 of (U) Interview of Rick Gates , On 04/18/2018 , Page 2 of 5

b6  
b7A  
b7B Per DOJ/OIP  
b7C

Gates did not recall hearing about a November 20, 2016 meeting involving Kushner, Flynn, and Kislyak.

Gates was not aware of a December 13, 2016 meeting between Kushner and Gorkov.

b6  
b7A  
b7B Per DOJ/OIP  
b7Cb6  
b7A  
b7B Per DOJ/OIP  
b7C

Gates did not talk about Russia with Flynn. Gates did not hear about Flynn's communications with Kislyak until after the fact.

Gates was surprised when Flynn was fired. He thought Flynn had a good relationship with Trump and that Trump had not wanted to fire Flynn but felt like he had no choice. The National Security Advisor cannot lie to the Vice President and not have anything happen to him because of it. Gates said Pence went to Trump about firing Flynn and he thought it was one of the few times Pence pushed Trump hard like that.

b6  
b7A  
b7B Per DOJ/OIP  
b7C

Continuation of FD-302 of (U) Interview of Rick Gates , On 04/18/2018 , Page 3 of 5

b6  
b7A  
b7B Per DOJ/OIP  
b7C

Gates heard that after Sessions recused himself from the Russia investigation, Trump was "on the warpath" and said he would fire Sessions, but that Trump did not follow through. Gates heard that the recusal had been done by Don McGahn and Sessions and Trump had not been consulted. Gates heard about Trump's reaction from [redacted] Rick Dearborn, and [redacted] Gates said some people thought Trump would have been okay with the recusal if he had been notified in advance.

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Prior to Sessions' recusal, Gates had not had conversations with anyone about recusal issues. After the recusal, he recalled conversations where people offered their opinion that had Rudy Giuliani been Attorney General, he would not have recused himself. Gates knew Giuliani had been the first choice for Attorney General, but turned it down because he wanted to be Secretary of State instead.

Gates had no firsthand awareness of Trump's views on James Comey. Neither Gates [redacted] had conversations with Trump about Comey's termination. Gates was surprised Trump actually fired Comey, since Gates did not think Trump followed through with firing people. Gates thought Trump was frustrated with a lot of agencies, not just the Department of Justice and FBI. [redacted] told Gates he heard from [redacted] and Priebus that Trump said things needed to be fair and equal and it was not fair no one was looking at Hillary Clinton.

b6  
b7A  
b7B Per DOJ/OIP  
b7C

In general, Trump's view of the Russia investigation was that it attacked the legitimacy of his win.

#### Discussions of Pardons:

The possibility of pardons came up a couple of months after Gates' indictment. There were stories about the FBI and DOJ being corrupt and Manafort said he was having conversations with [then Counsel to the President] John Dowd, as was Manafort's lawyer.

FBI(19cv1278)-506

Continuation of FD-302 of (U) Interview of Rick Gates , On 04/18/2018 , Page 4 of 5

In October or November of 2017, Gates and Manafort had a conversation in which Manafort indicated they would "get through it," that the charges were trumped up and "BS" and they would figure it out and there was more to come. Gates had the sense Manafort was saying to Gates not to plead. Manafort told Gates the Nunes report would come out soon and there would be some bombshells in it. Manafort said he talked to Dowd and they had talked about starting a legal defense fund. Manafort did not say whether Dowd brought up Nunes.

In January 2018, CNN leaked that a plea agreement had been reached, and Manafort told Gates people were worried it was true. Gates called Manafort and told him it was not true. Manafort told Gates that he (Manafort) had called Dowd and also told Dowd it was not true that Gates had reached a plea agreement. Manafort said something like, "I talked to Dowd. I've covered you at the White House" and added that a legal defense fund was coming and they were going to "take care of us." Manafort told Gates there were two funds out there. The first was called "Patriot Defense Funds" and it covered White House staff. The other fund would cover anyone outside of the White House and Manafort and Gates would be "#1 and #2 on that list."

Manafort told Gates it was stupid to plead and that he would get a better deal down the road. Manafort said he had been in touch with Dowd and repeated they should "sit tight" and "we'll be taken care of." Manafort never explicitly mentioned pardons. Gates asked Manafort outright if anyone mentioned pardons and Manafort said no one used that word.

In February 2018, the day before Gates entered his plea, Manafort called Gates and and his tone was that Gates should "stick to your guns, we'll get through this." Manafort told Gates that he had been on the phone with Dowd and his attorney when Trump apparently walked into the room with Dowd and said to Manafort words to the effect of "stay strong." Manafort told Gates that Kushner had sent him emails of support and that he could show the emails to Gates if they were together. Gates had the sense the emails Manafort mentioned were recent. Gates had no basis to trust Manafort and thought the conversation was designed to convince Gates not to plead guilty. By then, Gates had already made his decision. Gates added that Manafort talked a big game, but Gates had no confidence what he said was true. Gates thought [REDACTED] [REDACTED] listened to the telephone call between Manafort and Gates. Gates did not tell Manafort others listened to the call.

b6  
b7C

The day of Gates' plea, Manafort called again and went through a last minute appeal that Gates not plea. Manafort mentioned the legal defense fund in that call as well. That was the last time Gates spoke to Manafort, but they have communicated by text; Manafort sent Gates a text message congratulating him for getting rid of his GPS monitor at one point.

In one of the calls with Manafort, Manafort told Gates that Trump was "watching their case." Gates also noted that the media asked Trump about Gates at one point and Trump had no response. Gates thought that was surprising and that Trump would have gone after him.

FBI(19cv1278)-507

FD-302a (Rev. 05-08-10)

b7A  
b7E

Continuation of FD-302 of [REDACTED] (U) Interview of Rick Gates, On 04/18/2018, Page 5 of 5

Gates was not sure the source of the reporting on his plea arrangements. Gates had told [REDACTED] about it. Manafort did not know; Gates got no indication from Manafort that Manafort knew Gates planned to plead when he did. Gates knew [REDACTED] had a friend at CNN, but [REDACTED] did not have enough detail to be the source.

b6  
b7C

FBI(19cv1278)-508

April 18, 2018

Rick Gates

Tom Huen - atty

~~XXXXXX~~

transition - role.

11/10 - 11/13 @ Trump Tower

11/13 - dep. Chairman for inauguration. went to DC to work on inauguration.

Mike Flynn - less contact than during campaign. handful of calls. cabinet-rank, special assistants, how many ppl @ inauguration. logistics.

KT McFarland - a little more contact. got to know on campaign. good chemistry b/c one of few ppl that could break things down for Trump. general convos. sat through a lot of personnel decisions/interviews.

foreign leader meetings? no during transition.

b6  
b7A  
b7B Per DOJ/OIP  
b7C

(2)

Kushner, Flynn, Kislyak mtg, Nov 30. don't recall hearing about it. [REDACTED]

b6  
b7A  
b7B Per DOJ/OIP  
b7C

12/13/18 Kushner, Gorkov. Aware @ time or after?

No. Was in DC.  
[REDACTED]

b6  
b7A  
b7B Per DOJ/OIP  
b7C

b6  
b7A  
b7B Per DOJ/OIP  
b7C

Flynn - didn't talk about Russia. 3-4 times, just about inaugural issues.

surprised I hear Flynn fired? yes. good re'ship w/  
POTVS. POTVS didn't want to fire, but no choice.  
NSA can't ~~see~~ lie to VP and not do anything.  
Pence → Trump. ~~was~~ one of few times Pence went to  
Trump and said Flynn had to go.

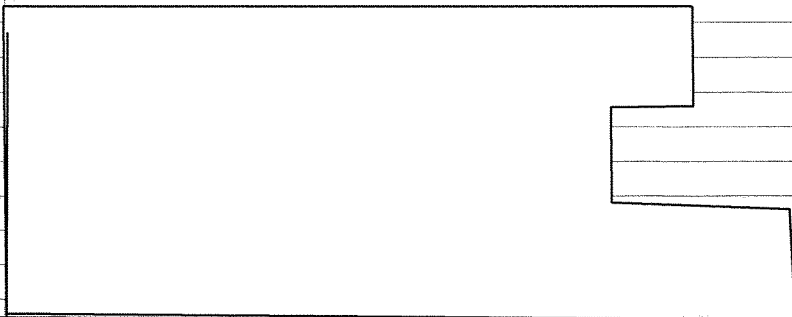
Rick Warren,  
Reince Priebus

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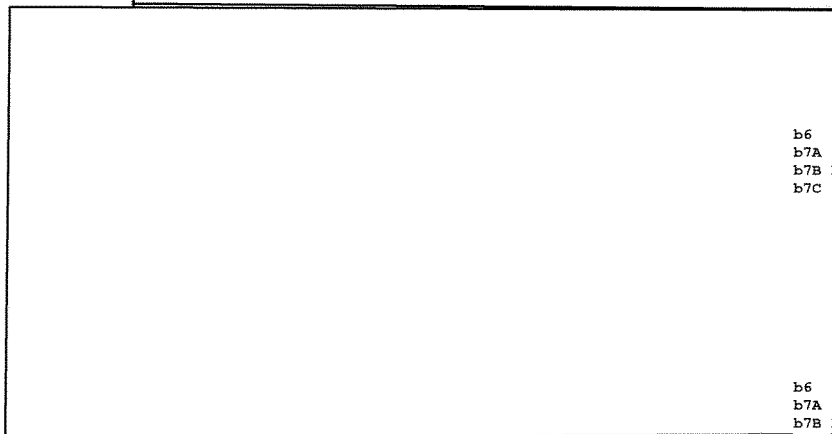
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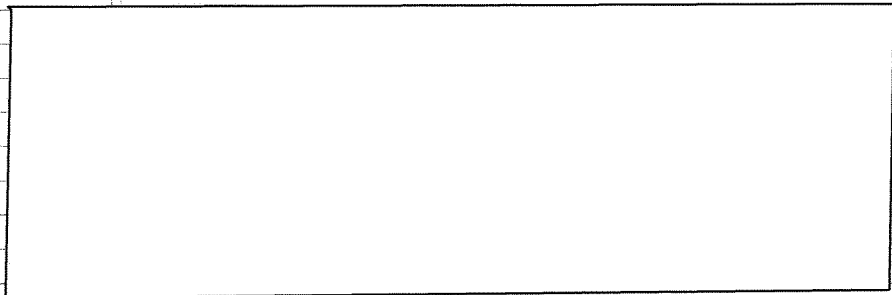
b6  
b7A  
b7B Per DOJ/OIP  
b7C



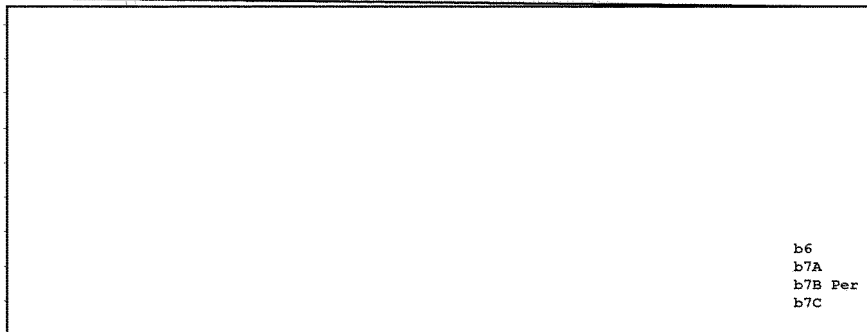
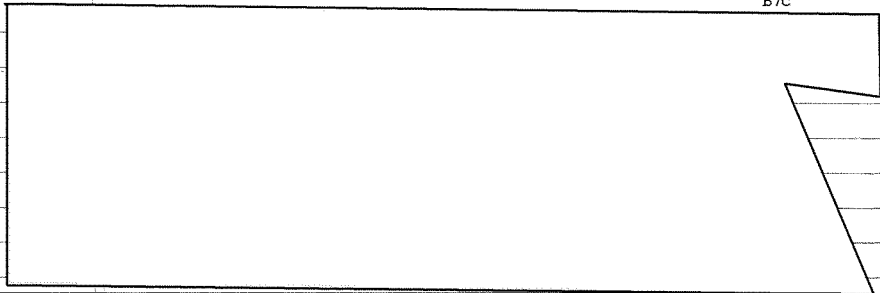
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b7A  
b7B Per DOJ/OIP  
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b6  
b7A  
b7B Per DOJ/OIP  
b7C

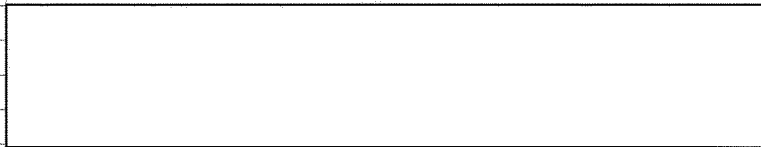


b6  
b7A  
b7B Per DOJ/OIP  
b7C



b6  
b7A  
b7B Per DOJ/OIP  
b7C

ppl starting to get nervous b/c whole Russia thing.  
scrutiny on Sessions, Dearborn.



POTUS. Comey: no awareness from P directly.  
~~he~~ wondered if POTUS would really come in  
and clean up agencies, not spec. to Comey.  
not enough Trump loyalists to fill positions.

b6  
b7C

not out of convos on keeping Comey ~~in~~.

[redacted] either. Surprised he actually fired Comey.  
 POTUS doesn't actually fire ppl.

b6  
 b7c

Sessions refusal. POTUS <sup>heard</sup> ~~not~~ <sup>apoplectic</sup> pissed.  
 heard P wasn't consulted. ~~done~~ by McRahn &  
 Sessions. Heard from [redacted] Dearborn. Not sure if  
 [redacted] Gates. People.

b6  
 b7c

POTUS angry, because not consulted. Thought would have  
 been okay if had been asked or notified first.

discussions on ppl needing to recuse before? no.  
 convos after the fact that Giuliani wouldn't  
 have made same decision.

AG not supposed to be AG. / AG was pick, but  
 wanted Sec State instead.  
 heard from:

[redacted] Dearborn, Parscale

b6  
 b7c

adv. knowledge of POTUS unhappy w/ Comey?  
 lack of relationship w/ Comey.  
 sensed something would happen.

Thought P was frustrated w/ a # of agencies,  
 not just DOJ. Some tiff in the press.  
 still harping on Clinton email thing.

b6  
 b7c

POTUS: got to be fair, got to be equal.  
 not fair no one looking at Clinton.  
 heard from [redacted] Reince

POTUS new on:

Russia inv. attack legitimacy of war. V. frustrated

talk to anyone in with re: termination?

day of, [REDACTED]

b6  
b7C

- no convos leading up.
- V. few ppl aware of it when someone was actually fired.
- humorous that Schuler delivered letter how Trump operates
- were there was questions about talk back. one time to sent Stephen Miller
- thought DOJ needed to write letter, across from to
- Trump had some input in letter. work with lawyers
- some question of whether RR to see RNC.
- wanted to write letter

b6  
b7A  
b7B Per DOJ/OIP  
b7C

b6  
b7A  
b7B Per DOJ/OIP  
b7C

Comery -  
on news. Trump Hotel.  
mtgs that evening? No... Maybe a dinner.

b6  
b7C

1 1/2 days in town.  
after the fact - convos based on news.  
more info came out,  
Lester Holt  
not surprised.  
Russia thing e its height.  
Sessions being picked on  
Why isn't Hillary being investigated.

POTUS express frustration to [ ] of her.  
but don't remember discussing Comery

b6  
b7C

Sessions? don't remember convos [ ] related  
but frustrated w/ Sessions after refusal.  
Turning pt in relationship.  
Should have talked to POTUS about it.

Rumor mill: Comery would be fired. like Reince & Bannon.  
Reporters, rumor mill

b6  
b7A  
b7B Per DOJ/OIP  
b7C

b6  
b7C

after refusal, Trump on a warpath. Said would fire,  
didn't follow through.  
2 or 3 layers of hushay

~~XXXX~~ picked back up again fall.  
after indictment, most people I talked to kept  
their distance.  
talk to Dearborn? no. not as much comms when  
Paul left.  
around March, article out, less frequent

Pardons—  
heard from  
aware of efforts to float poss. of pardon?  
no direct overture by anyone inside

Manafort alluded to convos w/ Dowd.

PM clear may not happen soon, but "hang tough" we'll get through this.

Right before plea. Plea from Paul to dissuade conversation, cooperation.

didn't believe he was talking to who he said he was.

From PM

Poss. of pardon came up couple months after indictment.

Stories re: corrupt FBI, DOJ

PM said having convos w/ Dowd.

PM's atty having convos w/ Dowd.

Oct/Nov

• Sep/Oct 2017

• Jan 2018

2 convos, PM rep info from Kenn<sup>PM</sup>, Dowd. Paul, & said he and Kenn talked to Dowd.

↳ January, February 2018

we'll plea.

OPA? no.

~~Manafort said~~

Oct/Nov

Sep/Oct

RG → PM convo.

Broad PM indicated we'd get through it, humped up charges, BS, we'll figure it out, more to come since PM was saying - don't plead.

Nunes report is coming, going to be some bombshells.

PM said had talked to Dowd, start a legal defense fund, didn't say if ~~talked~~ Dowd mentioned Nunes.

Jan 2018. CNN leaked plea agreement. reached mid-Jan 2018.  
Paul told RG ppl were worried it was true. (RG called proactively.)  
RG called Paul and said was not true.  
Paul told RG that PM told Dowd it was not true.

Info was inaccurate.

I talked to Dowd. I've covered you at the WH.

Legal defense fund is coming. Going to take care of us.

2 funds - Patriot defense funds - with ppl.

② anyone out of WH. PM & RG #1 & #2 on list.

PM stupid to plea now. get a better deal down the road.

PM in contact w/ Dowd. "sit tight". "we'll be taken care of." Never mentioned pardon. RG asked, PM said no one said the word.

\$

week of  
Feb 20

day before plea. (Thurs)

LFri

PM called RG. Tone - stick to your guns will get through this.

On phone w/ Dowd. POTUS walked into room while they were on the phone & said "stay strong." we'll get through this.

Jared sent emails of support. since they were recent.

"if I was with you, I could show you"

no basis to trust Paul.

designed to get RG not to plea.

RG. had already made decision.

Support.  
support for  
"us"

FBI(19cv1278)-519

b6  
b7c



Knowing Paul, seemed like a black. Talks big game, no confidence info was true.

→ listened on call Friday.

b6  
b7c

no notes. PM did not know that others were listening.

Texts from PM re: bail, making sure R<sub>g</sub> cleaned up articles re plea.

day of plea, PM called, went through last minute appeal not to plea. legal defense fund.

last time talked to PM.

Text from PM: congrats on getting rid of GPS.

As said  
on one of the calls (earlier) Porus said he was 'watching their case'

Porus asked about R<sub>g</sub> in press & had no response. Surprised. Thought P would have gone after him.

No indication PM knew R<sub>g</sub> was going to plead that day.

Source of info for reporting re: detail on R<sub>g</sub> going back & forth on plea?

b6  
b7c

R<sub>g</sub> told him about his indecision. R<sub>g</sub> didn't talk to press about it.

Manafort didn't know.

CNN reporter friend of [redacted] but [redacted] didn't have detail.

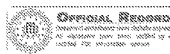
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talking to  
a lot of  
people, taking

@ any time, hear from w/ info re: DJT firing Mueller?  
No. Nothing behind the scenes.  
Always more about Sessions than Mueller.  
Not even Manafort saying he talked to anyone  
about it.

Sessions → [ ] shift convo. In an article  
Sessions fire Rod, then replace. In an article.

b6  
b7c



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 11/28/2018

Michael Dean Cohen, date of birth [REDACTED] was telephonically interviewed in the presence of his attorneys Guy Petrillo and Amy Lester from the law offices of Petrillo Klein & Boxer LLP, 655 Third Avenue, New York, NY. Participating in the interview were FBI Special Agent (SA) [REDACTED] Senior Counselor to the Special Counsel James L. Quarles, and Senior Assistant Special Counsel (SASC) Andrew D. Goldstein. Also present from the Special Counsel's Office were SASC Jeannie S. Rhee and Assistant Special Counsel L. Rush Atkinson. The interview was conducted under the same proffer agreement as previous interviews. After being advised of the identity of the interviewing agent, Cohen provided the following information:

b6  
b7C

The concept of the "party line" and staying "on message" existed within the Trump Organization during the campaign. During the campaign, when it was reported that [then-Candidate] Donald Trump had ties to Russia, the party line was that Trump had no business in Russia. Trump created the message when he stated had no business in Russia and no relationships in Russia. Trump created that party line when he said he had nothing to do with Russia and had no deals. It became the talking point for others to follow.

b5 per DOJ/OIP

b5 per DOJ/OIP

Investigation on 11/20/2018 at Washington, District Of Columbia, United States (Phone)

File # \_\_\_\_\_ Date drafted 11/25/2018

by \_\_\_\_\_

b6  
b7C  
b7E

FD-302a (Rev. 05-08-10)

(U) Interview of Michael Cohen (telephonic  
Continuation of FD-302 of /11.20.2018), On 11/20/2018, Page 2 of 7

b5 per DOJ/OIP

[redacted] he should stay on message [redacted]  
[redacted] and everything would be fine.

In January 2017, after the dossier was made public, [redacted] b5 per DOJ/OIP

[redacted]  
[redacted] Cohen told Trump he had never been to Prague [redacted]  
[redacted]

b5 per DOJ/OIP

[redacted]

b5 per DOJ/OIP

[redacted]

[redacted] the JDA was working well together and that things  
would end soon.

b5 per DOJ/OIP

[redacted]

When Cohen first received letters from Congress [redacted] b5 per DOJ/OIP

[redacted]

[redacted] The initial focus of Congress'  
inquiry was the dossier. Cohen did not have any concern about the dossier

FBI(19cv1278)-523

FD-302a (Rev. 05-08-10)

b7E

(U) Interview of Michael Cohen (telephonic  
Continuation of FD-302 of /11.20.2018), On 11/20/2018, Page 3 of 7

allegations, [REDACTED]

b5 per DOJ/OIP

b5 per DOJ/OIP

Cohen had never been to Prague or

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

FBI(19cv1278)-524

b7E

FD-302a (Rev. 05-08-10)

(U) Interview of Michael Cohen (telephonic  
Continuation of FD-302 of /11.20.2018) , On 11/20/2018 , Page 4 of 7

b5 per DOJ/OIP

if they stayed on message, the investigation had to come to an end soon,

that as a part of the JDA, Cohen was protected, which he would not be if he "went rogue." At that time, Cohen's legal bills were being paid by the Trump Organization.

Trump Tower Moscow first came up when a couple of reporters sent questions about it to Cohen. Cohen's concern when the questions came in was that the answers may not be consistent with the message.

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

Cohen said the statement that Trump never considered traveling was false and he put it in the letter to be consistent with the message. He was sensitive to the idea of Trump traveling to Russia because he wanted to say there was no connection between Trump and Russia. He was protecting Trump and did not want to contradict anything Trump said. Cohen was being loyal.

b5 per DOJ/OIP

Cohen did not remove from the letter the line that said he had "limited contact with Russian officials" and he did not know who did. He thought it had to be someone from the JDA team.

b5 per DOJ/OIP

it was the decision of the JDA to take it out, and Cohen did not push back.

b6  
b7C

FBI(19cv1278)-525

b7E

FD-302a (Rev. 05-08-10)

(U) Interview of Michael Cohen (telephonic)  
 Continuation of FD-302 of /11.20.2018) , On 11/20/2018 , Page 5 of 7

b5 per DOJ/OIP

[REDACTED] Cohen did tell Sekulow that he would not  
 contest a decision of the JDA.

b5 per DOJ/OIP

b6  
b7C

Sekulow and Cohen spoke on the telephone extensively on August 27, 2017, the day before the Trump Tower Moscow letter was submitted to Congress. Cohen told Sekulow there was more detail on Trump Tower Moscow, and Sekulow told him to keep it short and tight and the matter would soon come to an end. Sekulow told Cohen that "his client," referring to Trump, wanted Cohen to cooperate and appreciated him.

Cohen told Sekulow there were details out there that weren't in the letter

[REDACTED] Cohen said there were more  
 communications with Russia and more communications with Trump than were reflected and Sekulow responded that it was not necessary to elaborate or include those details because the transaction did not take place. Sekulow said there was no need to muddy the water. Sekulow said to stay on message and to not over elaborate. Sekulow said it did not matter and Cohen should not contradict Trump and that it was time to move on. Cohen agreed, because it was what he was expected to do.

b5 per DOJ/OIP

Cohen vaguely recalled telling Sekulow that he had a call with a woman from the Kremlin, but he did not tell him specifically the length of the conversation or the sum and substance of her questions. Sekulow's response was in line with "so what" and the deal never happened.

Cohen recalled specifically speaking to Trump about the call with Peskov's office, close in time to when the call happened in early 2016. Cohen told Trump he spoke with a woman from the Kremlin who had asked specific and great questions about Trump Tower Moscow, and that he wished Trump  
 Organization had assistants that were that good and competent.

b5 per DOJ/OIP

[REDACTED] described her as "someone  
 from the Kremlin." After that call, and a subsequent call with Felix Sater, Cohen recalled he told Trump he was waiting to hear back from them.

FBI(19cv1278)-526

b7E

FD-302a (Rev. 05-08-10)

[REDACTED]

(U) Interview of Michael Cohen (telephonic  
Continuation of FD-302 of /11.20.2018) , On 11/20/2018 , Page 6 of 7

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

b6  
b7C

Cohen attempted to follow the example set by Jared Kushner by publicly releasing the letter during his Congressional testimony, [REDACTED]

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] Sekulow had also commented to Cohen that Trump was happy with how things had gone with Kushner.

Cohen and Sekulow spoke on the telephone on September 20, 2017 [REDACTED] b5 per DOJ/OIP

[REDACTED] Sekulow mentioned that Trump was pleased with the Trump Tower Moscow statement that had gone out.

[REDACTED] b5 per DOJ/OIP

b6  
b7C

FBI(19cv1278)-527



FD-302a (Rev. 05-08-10)

[REDACTED]

(U) Interview of Michael Cohen (telephonic  
Continuation of FD-302 of /11.20.2018), On 11/20/2018, Page 7 of 7

[REDACTED] b5 per DOJ/OIP

Cohen asked Sekulow about pardons after the news reported those discussions were happening at the White House. He was not sure of the timing, but it was after the raids at his home and office. [REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED] Cohen said he'd been a loyal lawyer and servant and all of a sudden he was the subject of search and seizure. Cohen said it was an uncomfortable position to be in and wanted to know what was in it for him. [REDACTED]

[REDACTED]

[REDACTED] b5 per DOJ/OIP

b6  
b7C



Michael Cohen  
Amy Lister  
Guy Pettilo

11/20/18  
(telephonic)

JLR  
ADG

JSR  
LPA



b6  
b7C

(1)

proffer agreement in effect

ADG: he intended.

distinguish between memory and think you remember.

Cohen: understood

party line. staying on message. when did it first come up, become subject of discussion?



A: msg. existed prior to atty. conversations. when did msg first come up?

Rec'd notice to appear before House/Senate, before that.

decided would read statement, release

before hearing, message during JDA:

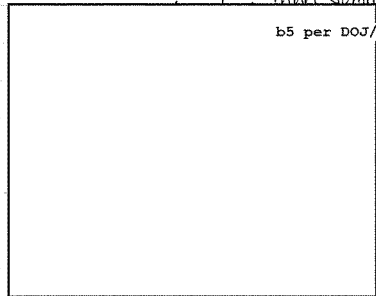
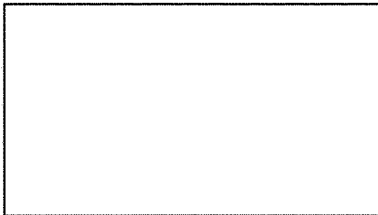
don't elaborate, stay on message, everything

fine.

no relationship  
that was  
when msg  
was first  
created  
substantially  
earlier  
than Summe

no relationship to Russia,  
etc. goes back to  
campaign.

b5 per DOJ/OIP

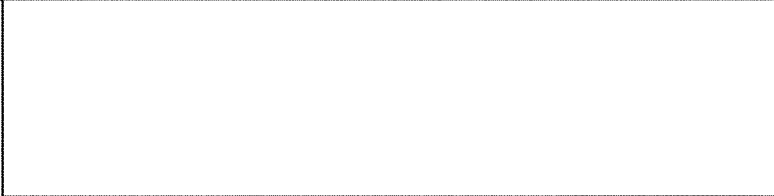
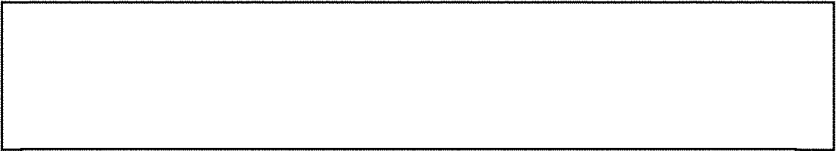


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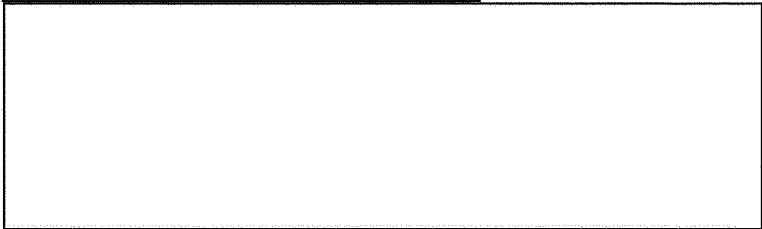
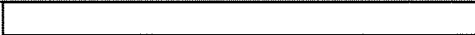
(2)

party line created by Mr. Trump. Many mos. before election. Intenews, rallies. "I have nothing to do w/ Russia, no deals, etc." Became the talking point, narrative that was put out by Mr. Trump.

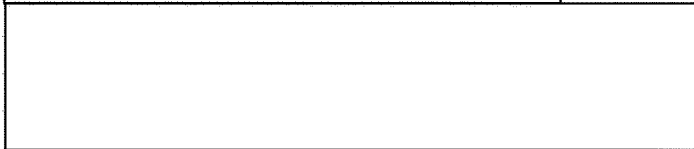
b5 per DOJ/OIP



b5 per DOJ/OIP



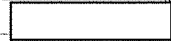
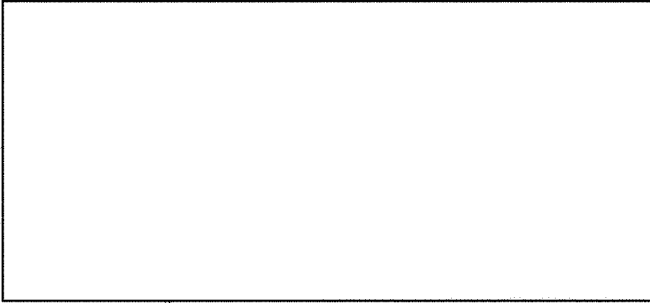
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(3)

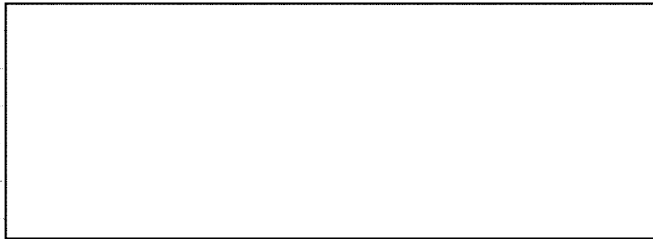
b5 per DOJ/OIP



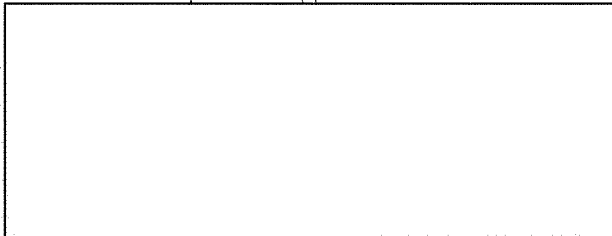
P loves you. Has your back.

JDA working well together This will  
end soon. things like that

b5 per DOJ/OIP



May 9, May 12 Congress letters

b6  
b7C

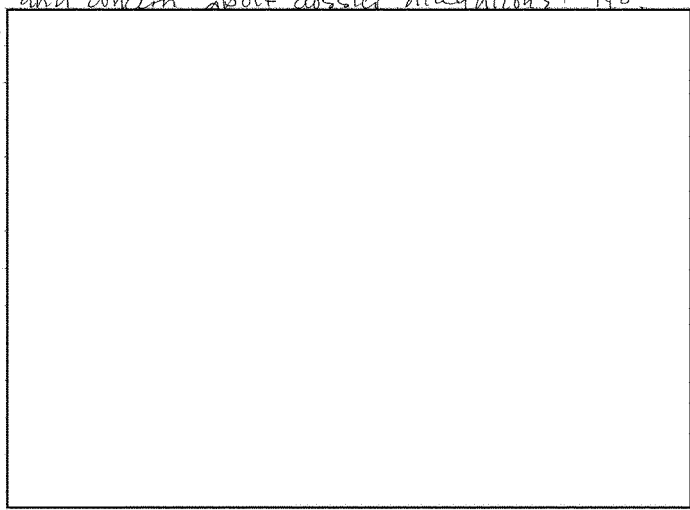
b5 per DOJ/OIP

④

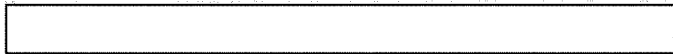
focus of their inquiry? dossier.

any concern about dossier allegations? No.

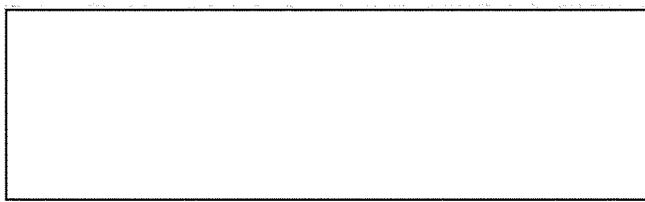
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b7C



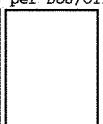
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b7C



b5 per DOJ/OIP

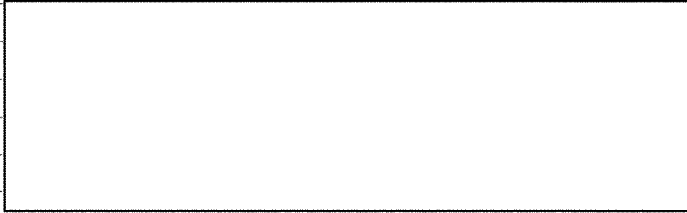


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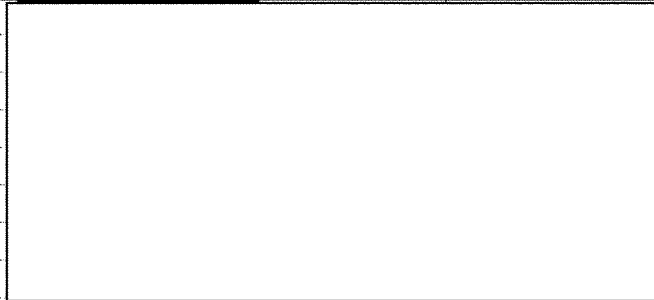
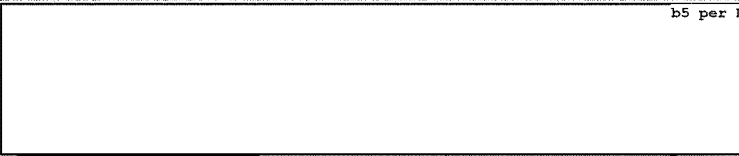




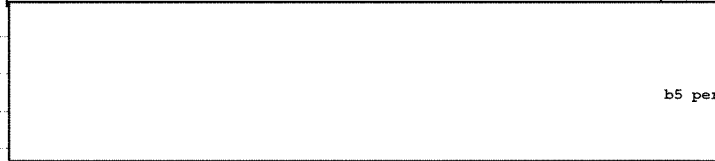
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b5 per DOJ/OIP

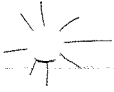


Part of VDA

you're protected vs. going rogue  
 legal bills paid by Trump Org.  
 day: as we stay on message, this has to come to  
 an end, there's nothing here Report will  
 show that.

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(9)



b5 per DOJ/OIP

b6  
b7C

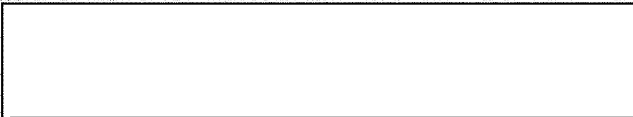
TIM comes up. what put TIM on the radar?

Think there was a couple of reporters,

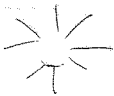
~~was~~ asking Qs about it, had sent

Qs to get answered. when you started getting questions, to Cohen.

did you have concerns? worried it would not be consistent w/ message.



b5 per DOJ/OIP

b6  
b7C

when does the TIM letter come up? in connection w/ press inquiries.



b5 per DOJ/OIP

b6  
b7C

(3)

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7c

b5 per DOJ/OIP

"Trump never considers traveling." False  
 where did statement come from? He left it  
 out to be consistent with message.  
 Why sensitive about travel? trying to distance

FBI(19cv1278)-535



(8)

Plus, no Russian connection. To protect P.  
didn't want to contradict. Being legal.

b5 per DOJ/OIP

"Limited contact w Russian officials"  
did not remove it, don't know who did.

JDA team. don't know when

Talk about it?

b5 per DOJ/OIP

Decision

b6  
b7C

of JDA to take it out. Push back? No.

b5 per DOJ/OIP

Did tell  
Jay - if that's the decision of the JDA,  
not going to contest it.

b5 per DOJ/OIP

day before letter submitted, lots of  
calls w/ Sekulow.

b5 per DOJ/OIP

Cohn told Jay there was more detail, but Jay  
said to keep it short, tight, matter coming to  
an end. Client wants you to cooperate & appreciate it.

FBI(19cv1278)-536

(9)

back/forth w/Jay. There are details out there  
that went in the letter

<sup>express</sup> concern about leaving them out? yes, told him

there were more details, comms w/Russia, comms

w/POTUS. Jay: just not necessary, no point

in elaborating. no need to include b/c xaction  
did not take place. why muddy the water

↳ more contacts  
w/Russia.

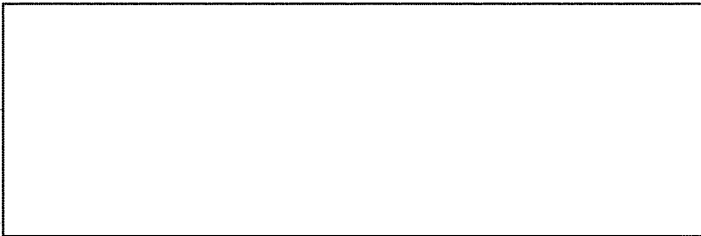
↳ not just 3 comms,  
there were more

Jay: just stay on msg. don't over-  
elaborate. it doesn't matter

don't contradict the President. Time to  
move on.

"D'Kay" what I was expected to say

b5 per DOJ/OIP



b6  
b7C

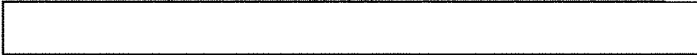
9/19/17

public statement. in adv. of statement, discussions?

I was following what Kushner had done. release

statement prior to conclusion of hearing.

b5 per DOJ/OIP



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(D)

b5 per DOJ/OIP

[REDACTED]

b6

b7C

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

Jay also commented P was happy w/ how  
it went w/ Kushner.

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

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(11)

b5 per DOJ/OIP

b5 per DOJ/OIP

- told Skulow <sup>these new</sup> other details. ~~Skulow~~ did you tell him anything specific about call w/ Pestov's office? vaguely recall telling him about call w/ woman from Kremlin. no specifics on length of call, sum/substance of Qs. Response: so what? deal never happened...

talk to Perus? ~~don't recall~~. yeah, actually I did much earlier. Said I spoke to this woman who asked specific / great questions wish he had assts that good, competent. timing? close in time to call. describe her? not in title or name, but "someone from Kremlin".

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(10)

after that, call w/Sale, waiting to see who would  
call back..

talking to DJT at the time → say waiting to  
hear back? yes.

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

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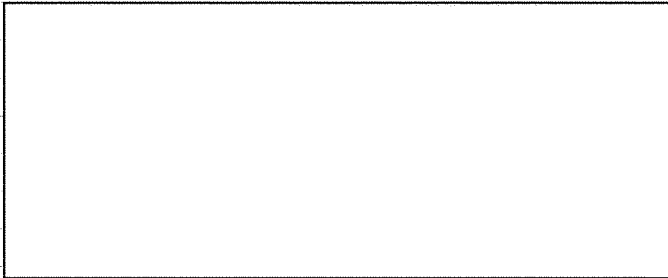
(13)

pardons / p/c pardons.

Mc. asked b/c news org referred to it,  
"what about me?"

when? after the raid.

convo before were about testimony, etc.



b5 per DOJ/OIP

Here I've been this loyal lawyer smart  
all of a sudden I'm subject of search &  
seizure. uncomfortable pos'n to be in.  
What's in it for me?



b5 per DOJ/OIP

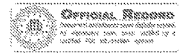
b6  
b7c

b7E

FD-302 (Rev. 5-8-10)

- 1 of 8 -

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 08/14/2018

General (Ret) John Kelly, White House Chief of Staff, was interviewed at the Special Counsel's Office, 395 E Street SW, Washington, DC. Participating in the interview were FBI Special Agent (SA) [REDACTED] Senior Counselor to the Special Counsel James L. Quarles III, and Senior Assistant Special Counsel Andrew Goldstein. Also present for the interview was Emmet T. Flood, Special Counsel to the President. Kelly inquired as to whether he was a subject, target, or witness in the Special Counsel's Office investigation and was informed he was a witness. After being advised of the identity of the interviewing Agent and the nature of the interview, Kelly provided the following information:

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Kelly did not speak to anyone about the article [REDACTED]

b5 per DOJ/OIP

Investigation on 08/02/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date drafted 08/06/2018by [REDACTED]b6  
b7C  
b7E

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FD-302a (Rev. 05-08-10)

(U) Interview of White House Chief of  
 Continuation of FD-302 of Staff John Kelly , On 08/02/2018 , Page 2 of 8

b5 per DOJ/OIP

Kelly did not speak to Don McGahn about the article when it came out, and he did not tell anyone he had done so.

Kelly recalled a conversation with the President and McGahn in the Oval Office where they discussed the article. b5 per DOJ/OIP

In the Oval Office meeting, the President asked if McGahn had seen and read the article and told McGahn that he did not recall any discussion about firing Mueller. b5 per DOJ/OIP

Kelly described the conversation as "a little tense."

The President may have asked McGahn to correct the record, but McGahn was insistent that it had happened the way he remembered. The President said it was not the way he remembered it. Kelly assumed "correct the record" meant for McGahn to call the New York Times to correct the story.

b5 per DOJ/OIP

After the meeting in the Oval Office, McGahn and Kelly went to Kelly's office. b5 per DOJ/OIP

but knew

McGahn was insistent that he and the President "did have that conversation."

Kelly and the President did not discuss the Oval Office meeting after the fact.

b5 per DOJ/OIP

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FD-302a (Rev. 05-08-10)

[redacted]

(U) Interview of White House Chief of Staff John Kelly

Continuation of FD-302 of [redacted], On 08/02/2018, Page 3 of 8

[redacted] b5 per DOJ/OIP

[redacted] b5 per DOJ/OIP

[redacted] b5 per DOJ/OIP

[redacted] b5 per DOJ/OIP

Kelly reviewed a copy of his notes bearing Bates stamp WH000017684, dated Monday, 5 Feb 2018. [redacted]

[redacted] b5 per DOJ/OIP

[redacted] The notes read in part: "POTUS - Don McGahn letter - Mueller + resigning." [redacted]

[redacted] He did not recall what the notes meant. Kelly did not recall whether the President asked McGahn to write a letter. He thought the President may have "mused" about it. [redacted]

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FD-302a (Rev. 05-08-10)

[REDACTED]

[REDACTED]

(U) Interview of White House Chief of  
Continuation of FD-302 of Staff John Kelly, On 08/02/2018, Page 4 of 8

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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FD-302a (Rev. 05-08-10)

[REDACTED]

(U) Interview of White House Chief of  
Continuation of FD-302 of Staff John Kelly, On 08/02/2018, Page 5 of 8

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

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FD-302a (Rev. 05-08-10)

(U) Interview of White House Chief of  
Continuation of FD-302 of Staff John Kelly, On 08/02/2018, Page 6 of 8

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-547

FD-302a (Rev. 05-08-10)

[REDACTED]

(U) Interview of White House Chief of  
Continuation of FD-302 of Staff John Kelly , On 08/02/2018 , Page 7 of 8

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

Lewandowski and the President still spoke and were close. Kelly described  
Lewandowski as a "devotee" of the President. [REDACTED]

[REDACTED] Kelly tried not to be there when the  
President had meetings with friends. Kelly tried to push meetings with  
friends and with the President's legal team to the Residence to create  
distance from the West Wing.

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

b7E

FD-302a (Rev. 05-08-10)

(U) Interview of White House Chief of  
Staff John Kelly

Continuation of FD-302 of \_\_\_\_\_, On 08/02/2018, Page 8 of 8

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John Kelly  
- Emmett Flood

8/2/2018  
PP

18 USC 1001

[Redacted]

b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

b5 per DOJ/OIP

[Redacted]

[Redacted]

[Redacted]

[Redacted]

b5 per DOJ/OIP

FBI(19cv1278)-550

[Redacted]

[REDACTED] b5 per DOJ/OIP

had not talked to anyone about article [REDACTED]

[REDACTED] b5 per DOJ/OIP

tell anyone you talked to DM? No, don't think so.

POPO's asked  
1st time in Oval office - not in Oval office  
to specifically about this.

don't recall convo. (not that it didn't happen)

[REDACTED] b5 per DOJ/OIP

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
FBI(19cv1278)-551



[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED]

What did P say.

- had DM seen/read article? don't recall any discussion re: Aring RSM.

b5 per DOJ/OIP

[REDACTED]

a little tense

Don pushed back

P ask DM to do anything? May have asked Don to correct record. But Don said it had happened.

JK: assume correct record meant call NYT

POTUS said was not the way I remember it.

DM & JK

finished mtg. went to CDS office.

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

didn't talk to P about exchange after.

[REDACTED]

b5 per DOJ/OIP

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

"we did have that conversation"

told [redacted] in his office after the mfg

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

5 Feb

b5 per DOJ/OIP

did P ask you to ask Don to write a letter?  
no recollection of it. may have mused about it.

b5 per DOJ/OIP

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP


Lew and  
POTUS.

devotee of

try not to be

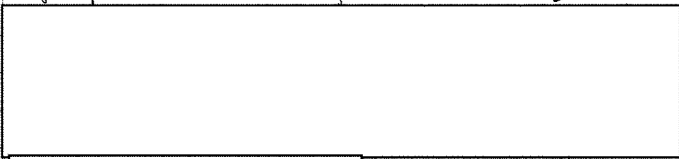
there when POTUS has meetings w/ friends.

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b5 per DOJ/OIP


try to push friends meetings to residence.




b5 per DOJ/OIP



b5 per DOJ/OIP



b5 per DOJ/OIP



b5 per DOJ/OIP

Monday 5 Feb 2018

to the

Don Hughes letter  
- letter + resigning

b6  
b7C

b5 per DOJ/OIP

WH000017684

Tuesday 6 February 2017

Don

• with discussion in  
Team

b5 per DOJ/OIP

b6  
b7C

WA000017685



## FEDERAL BUREAU OF INVESTIGATION

Date of entry 06/11/2018

HOPE CHARLOTTE HICKS was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, DC. Hicks was accompanied by her attorneys, [REDACTED] Present for the interview were Supervisory Special Agent (SSA) [REDACTED] Special Agent (SA) [REDACTED] FBI Intelligence Analyst [REDACTED] [REDACTED] James L. Quarles, Senior Counselor to the Special Counsel; Andrew Goldstein, Senior Assistant Special Counsel; Michael Dreeben, Counselor to the Special Counsel; and Elizabeth Prelogar, Assistant Special Counsel. Hicks was advised it is a crime to lie to the FBI in the course of an investigation, which she acknowledged. After being advised of the identity of the interviewing agents and the nature of the interview, Hicks provided the following information:

b6  
b7C

Press Reporting Regarding June 9, 2016 Meeting in Trump Tower:

The morning of Thursday, June 22, 2017, Hicks joined a meeting between President Donald Trump, Jared Kushner, and Ivanka Trump (hereinafter b5 per DOJ/OIP Ivanka) in the White House Residence. [REDACTED]

Kushner had a manila folder with documents with him and said to the President that they had found one thing that the President should know about, but it was not a big deal. Kushner said he, Donald Trump, Jr (hereinafter Junior) and Paul Manafort had attended a meeting during the campaign and started to open the folder when the President stopped him and said he did not want to know about it.

Hicks speculated Kushner's folder had emails in it regarding the referenced meeting Junior, Kushner, and Manafort participated in, [REDACTED] b5 per DOJ/OIP

The following Wednesday, June 28, 2017, Kushner asked Hicks and Josh Raffel to go to the offices of [REDACTED] to review

b6  
b7C

Investigation on 03/13/2018 at Washington, District Of Columbia, United States (In Person)

File # \_\_\_\_\_ Date drafted 04/02/2018

by \_\_\_\_\_

b6  
b7C  
b7E

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Continuation of FD-302 of (U) Interview of Hope Hicks , On 03/13/2018 , Page 2 of 18

documents [REDACTED] b5 per DOJ/OIP

[REDACTED]  
[REDACTED] Hicks was shocked by the emails concerning the meeting she and Raffel reviewed in [REDACTED] office. She thought they looked really bad.

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

On June 29, 2017, Hicks, Kushner, and Ivanka met with the President in his dining room to talk about the emails. Hicks' initial reaction was that they should get in front of the emails. She wanted Junior to do an interview with "softball questions" to get the emails out there. [REDACTED] b5 per DOJ/OIP

[REDACTED] Kushner responded it was not a big deal, just a meeting about Russian adoption. Kushner reminded the President he had previously mentioned a meeting, and the President said he did not want to

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Continuation of FD-302 of (U) Interview of Hope Hicks , On 03/13/2018 , Page 3 of 18

know about it. The President said they should not do anything, asked why so many people had the emails, and said they needed to let the lawyers deal with it.

b5 per DOJ/OIP

b5 per DOJ/OIP

Hicks told the President "this is going to be a massive story." She was not sure if she told him the emails were "really bad" in that meeting. The President did not want to talk about it and did not want details.

When Hicks told the President the story would be "massive", he asked Kushner when his (Kushner) document production was due. Kushner told him it would be a couple of weeks. The President said, "then leave it alone."

b5 per DOJ/OIP

b6  
b7C

On July 7, 2017, Hicks was in her hotel room in Germany having a discussion with Kushner and Ivanka about a story the New York Times (NYT) was working on related to the [June 9, 2016] meeting

b5 per DOJ/OIP

The following day, July 8, 2017, while at the G-20 summit, Hicks told Trump about the NYT story related to the meeting.

b5 per DOJ/OIP

The President said not to comment.

Hicks and the President had a follow on conversation later that day, after a session in the G-20.

The President b5 Per DOJ/OIP asked what the meeting was about. Hicks told him Kushner and Junior had told her the meeting was about Russian adoption. The President said words to the effect of, "then just say that" and dictated what she should say.

Continuation of FD-302 of (U) Interview of Hope Hicks , On 03/13/2018 , Page 4 of 18

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

When they got on the airplane, Hicks called Garten to get an update. He texted Hicks the statement Junior wanted to provide to the media. She took that to the President's cabin and read him Junior's statement. He told her they should not respond. Hicks advocated for providing the whole story. The President did not say what was wrong with Junior's statement, but just felt they were giving the media too much

b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 5 of 18

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Hope Hicks , On 03/13/2018 , Page 6 of 18

b5 per DOJ/OIP

After meeting with Trump about Junior's statement, Hicks returned to a seat and started texting with Junior. They worked on the statement for a period and ultimately settled on the statement that went to the press. b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

Priebus already knew about the emails. They decided they should let Trump know that Priebus knew about the emails, so Hicks went to Trump's cabin and notified him.

b5 per DOJ/OIP

b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Hope Hicks , On 03/13/2018 , Page 7 of 18

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED] She went upstairs to Trump's cabin and when she got b5 per DOJ/OIP there, he was already on the phone with Kasowitz. [REDACTED]

[REDACTED]  
Almost immediately after Hicks entered Trump's cabin, Trump handed the phone to Hicks. Kasowitz asked her what she was doing and told her his team was working with Circa News on a story that would blow the Russia investigation wide open. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED] He told Hicks not to talk to the NYT. [REDACTED]  
[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

FBI(19cv1278)-572

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 8 of 18

b5 per DOJ/OIP

The plane landed and Hicks went back to the White House. When she arrived, she called Corallo to tell him she was upset about the Circa News article.

b5 per DOJ/OIP

She told him Trump had not approved the statement.

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Hope Hicks , On 03/13/2018 , Page 9 of 18

b5 per DOJ/OIP

Throughout Hicks' conversations with Trump, it was clear to her Trump did not think the emails would get out. Hicks' impression was Trump meant the emails would not get out to the press, but he did not say that explicitly.

b5 per DOJ/OIP

b5 per DOJ/OIP

Hicks did not believe the emails would never get out, nor did she express that to anyone. She knew Trump thought the emails would not get out to the press. On the call with Corallo, if Corallo thought she said otherwise, it was because she either expressed Trump's belief or that Corallo was confused and Trump, rather than Hicks, said the emails would not get out to the press. However, Hicks had no recollection of such a discussion with Corallo.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 10 of 18

[REDACTED] b5 per DOJ/OIP

[REDACTED] Trump thought Sessions' recusal from the Russia investigation was an act of disloyalty to Trump.

On July 19, 2017, Hicks had a conversation with Corey Lewandowski about a NYT interview Trump had done that day. [REDACTED] b5 per DOJ/OIP conversation that Trump had asked him to go see Sessions and tell him to resign, and that he needed to do the right thing and step aside. At that point, the Senate was about to go into recess, so it was possible Trump could get a new Attorney General through a recess appointment. [REDACTED]

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 11 of 18

[REDACTED] b5 per DOJ/OIP

January 25, 2018 New York Times article:

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] Then Trump spoke on the phone with [Chief of Staff John] Kelly, who said that McGahn totally refuted the story and was going to put out a statement. [REDACTED] b5 per DOJ/OIP

The day after the article came out, January 26, 2018, [REDACTED] b5 per DOJ/OIP  
[REDACTED] He asked Sanders to call McGahn, [REDACTED]

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[Redacted]

b7E

[Redacted]

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 12 of 18

[Redacted]

b5 per DOJ/OIP

b6  
b7C

[Redacted]

b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

b6  
b7C

[Redacted]

b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 13 of 18

[Redacted] b5 per DOJ/OIP  
[Redacted] b6  
b7C

[Redacted] b5 per DOJ/OIP

[Redacted] b5 per DOJ/OIP

[Redacted] b5 per DOJ/OIP

[Redacted]

[Redacted] b5 per DOJ/OIP  
[Redacted] b6  
b7C

[Redacted] b6  
b7C

[Redacted] b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 14 of 18

[REDACTED] b5 per DOJ/OIP  
b6  
b7C

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP  
b6  
b7C

[REDACTED] b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 15 of 18

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-580

Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 16 of 18

[REDACTED] b5 per DOJ/OIP  
[REDACTED] Trump said something along  
the lines of Gates needing to keep an eye on Manafort. [REDACTED]

[REDACTED]

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 17 of 18

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 Per DOJ/OIP  
b6  
b7A  
b7B Per DOJ/OIP  
b7C

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Continuation of FD-302 of (U) Interview of Hope Hicks, On 03/13/2018, Page 18 of 18

**IC Findings on Election Interference**

Trump thought the fact that the intelligence community assessed the Russians had interfered in the 2016 election was his Achilles heel. Even if it had no impact on the election, Trump thought that was what people would think. He thought the assessment took away from what he did.

b5 Per DOJ/OIP  
b7A Per DOJ/OIP  
b7B Per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Hope Hicks, 3/13/2018

b6  
b7c

FBI - [REDACTED]

SCG - Andrew Goldstein, Jim Quarles, Michael Dreeben,

Elizabeth  
Prelogar

Attorneys - [REDACTED]

- June 22<sup>nd</sup> meeting at Residence (Thursday morning)

- ~~Jim Quarles~~

b5 per DOJ/OIP

- Jim - manilla folder of documents

- one thing we found that should know that, not a big deal

- Don, Paul and I meeting

-> Don didn't want to know about it

b5 per DOJ/OIP

went to open his manilla folder

- speculation that folder contained emails

b5 per DOJ/OIP

- following Wed

- asked to go to [REDACTED]

Office [REDACTED]

b6  
b7c

b5 per DOJ/OIP

FBI(19cv1278)-584

[REDACTED] b5 per DOJ/OIP

[REDACTED] b6  
remembered b7C

*very shocked by emails just received*

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

b6  
b7C

FBI(19cv1278)-585

b5 per DOJ/OIP

- 29<sup>th</sup>

- Jara, Jara, HA w/ DJT
- initial reaction to emails → get in front of → Don't do any ~~front~~ interview w/ softball questions

b5 per DOJ/OIP

- researcher (JR) told you about meeting → DJT said didn't want to know about it
- DJT said don't do anything → why do some people have emails → let lawyers deal w/

b5 per DOJ/OIP

- told DT → "this is going to be a massive story"
- not sure said "these emails are really bad" during this meeting
- DT didn't want to talk about it, didn't want to know

FBI(19cv1278)-586

- let lawyers take care of it

b5 per DOJ/OIP

- DT → in response to HH being big story

- asked JK when his document production was

- couple weeks

- then leaves it alone

- meeting in  
dining room

b5 per DOJ/OIP

- next convo w/ DT → in Germany

- on 7/7

- convo w/ JK and Ivanka

b5 per DOJ/OIP

- G20 Summit (7/8)

- told DT about NYT story

b5 per DOJ/OIP

b5 per DOJ/OIP

- DT → no comment

- after next session

b5 per DOJ/OIP

- talked to DT again

- DT asked what was meeting about

- took meeting to discuss Russian  
adoption → what Th told (H)

and Don Jr. b5 per DOJ/OIP

b6

- then just say that

b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

- second meeting

- told him → and said to just say that (DT)

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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b5 per DOJ/OIP

- get on plane  
 - called Alan Garten → looking for update  
 - texted HH statement of what Jn wanted  
 to give  
 - walked into DT's cabin  
 - what Jn planned to say as DT → just  
 don't respond  
 - HH said should give full story  
 - DT didn't say what was wrong w/  
 statement  
 - just felt like giving media too  
 much

don't  
 have  
 original

b5 per DOJ/OIP



b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

- knew what emails said on 6/28

- on 6/29

✓  
in dining  
room

- DT → what are you talking about

- JK → it's not a big deal, it was just a  
meeting about Russian adoption

- don't remember DT responding or having  
a discussion about it

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

- after meeting w/ Trump → started texting w/ Jr.
- ~~dis~~ statement from Jr. [redacted]
- meeting (brief) → Tr asked Paul and JK to attend → Russian adoption

b5 per DOJ/OIP

- statements were submitted

b5 per DOJ/OIP

- Reince ~~knows~~ knows about emails
- needed to tell DT
- went back to DT's cabin

Reince <sup>knows of</sup> the emails,

b5 per DOJ/OIP

b5 per DOJ/OIP

- went upstairs to DT's cabin

- already on phone w/ Kasowitz

b5 per DOJ/OIP

- gave phone to Kasowitz -> asked ~~to~~ HH  
what she was doing -> his team working with  
Circu hears on a story -> blow Russia invest wide open  
- told her not to talk to NYT

b5 per DOJ/OIP

- gave phone to HH almost immediately  
- hung up w/ Kasowitz

b5 per DOJ/OIP

b5 per DOJ/OIP

rafter landed → talked to Corallo

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

- flight landed

- cars back to WH

- get back to WH

- called ~~the~~ <sup>Cemile</sup> → very upset

[REDACTED] b5 per DOJ/OIP

- DT didn't approve statement

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

- throughout convo's → clear DT didn't think ~~press would~~  
~~know content of emails~~ <sup>would get out</sup> or would see emails  
~~DT said many times~~ → in context of press (HHS <sup>implication</sup>)  
 - DT didn't say that explicitly

b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

- emails aren't going to get out
- didn't believe or ~~to~~ expressed to anyone
- knew DT believed wouldn't get out to press
- on call w/ Corallo
  - either H4 expressing DT's belief or DT said emails wouldn't get out to press
  - but no recollection of it

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] FBI(19cv1278)-601

b5 per DOJ/OIP

- refusal from Russia invest was  
an act of disloyalty

b5 per DOJ/OIP

- convo w/ Corey Lewandowski → laughing about NYT  
article (7/19) → that night

- [redacted] PT asked him to go see Sessions  
and tell him he should resign

doubt  
thing and  
step into

- Senate recess was approaching, so could get  
a recess appointment

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP



[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

22

- DT on phone w/ Chief Kelly
- McGahn totally refutes story, going to put out a statement

b5 per DOJ/OIP

9

26<sup>12</sup>

- asked Hutchins to call McCabe → said she would

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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- Gates [REDACTED]

b5 per DOJ/OIP

- DT said something like yu gotta keep an eye on Paul, make sure

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP  
b7A  
b7B per DOJ/OIP

- IC ~~the~~ ~~briefings~~

- public facing → DT thinks its an achilles heel  
for him

- even if had no impact on election, he knows  
that's what ~~the~~ people will think

--takes away from what he did

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## Physical 1A/1C Cover Sheet for Serial Export

**Created From:**

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**Package:****Stored Location:**

None

**Summary:**(U) Document provided by  
Hicks**Acquired By:**b6  
b7C**Acquired On:**

2018-03-13

**Attachment:**(U) Document provided by  
Hicks

FD-340 (Rev. 4-11-03)

File Number

Field Office Acquiring Evidence

Serial # of Originating Document

Date Received

3/13/2018

From

Hope Hicks

(Name of Contributor/Interviewee)

(Address)

(City and State)

By

SA

To Be Returned ☐ Yes☒ NoReceipt Given ☐ Yes☒ NoGrand Jury Material - Disseminate Only Pursuant to Rule 6 (e)  
Federal Rules of Criminal Procedure☐ Yes☒ No

Federal Taxpayer Information (FTI)

☐ Yes☒ No

Title:

Reference:

Interview of Hope Hicks

(Communication Enclosing Material)

Description: ☐ Original notes re interview of

- document provided by Hicks

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b7E

FBI(19cv1278)-619

b7E

- 1 of 1 -

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 10/17/2018b7A  
b7E

Omarosa Manigault Newman, DOB: [REDACTED] was interviewed telephonically. Present for the telephonic interview were Senior Assistant Special Counsel (SASC) Andrew Goldstein, Assistant Special Counsel (ASC) Aaron Zelinsky, and Special Agents [REDACTED] Newman's attorney, John Phillips, was also present on the call. After being advised of the identity of the interviewing Agents and the nature of the interview, Newman provided the following information:

b6  
b7C

[REDACTED] b5 per DOJ/OIP

b6  
b7C

[REDACTED] b5 per DOJ/OIP

[REDACTED] everyone on the campaign was "ecstatic" [REDACTED] b5 per DOJ/OIP

[REDACTED]

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

UNCLASSIFIED//~~FOUO~~Investigation on 08/23/2018 at Washington, District Of Columbia, United States (Phone)File # [REDACTED] Date drafted 10/16/2018by [REDACTED]b6  
b7A  
b7C  
b7E

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ADG A22

08/23/2018

b6  
b7c

OMN

John Phillips

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7c

b5 per DOJ/OIP

b5 per DOJ/OIP





U.S. Department of Justice  
The Special Counsel's Office  
Washington, D.C. 20530

January 18, 2019

William A. Burck, Esq.  
Quinn Emanuel  
1300 I Street, N.W.  
Suite 900  
Washington, D.C. 20005

Re: Stephen Bannon

Dear Counsel:

You have indicated that your client, Stephen Bannon (hereinafter "Client"), is interested in providing information to the government.

With respect to the meeting between the government, Client, and yourself on January 18, 2019 and testimony before the Grand Jury on January 18, 2019 (hereinafter "the meeting"), the government will be represented by individuals from the Special Counsel's Office and the Federal Bureau of Investigation. The terms of this letter do not bind any office or component of the U.S. Department of Justice other than those identified in the preceding sentence. The following terms and conditions apply to the meeting:

(1) **THIS IS NOT A COOPERATION AGREEMENT.** Client has agreed to provide information to the government, and to respond to questions truthfully and completely. By receiving Client's proffer, the government does not agree to make any motion on Client's behalf or to enter into a cooperation agreement, plea agreement, immunity agreement or non-prosecution agreement with Client. The government makes no representation about the likelihood that any such agreement will be reached in connection with this meeting.

(2) Should Client be prosecuted, no statements made by Client during the meeting will be used against Client in the government's case-in-chief at trial or for purposes of sentencing, except as provided below.

(3) The government may use any statement made or information provided by Client, or on Client's behalf, in a prosecution for false statements, perjury, or obstruction of justice, premised on statements or actions during the meeting. The government may also use any such statement or information at sentencing in support of an argument that Client failed to provide truthful or complete information during the meeting, and, accordingly: (a) that under the United States Sentencing Guidelines, Client is not entitled to a downward adjustment for acceptance of responsibility pursuant to Section 3E1.1, or should receive an upward adjustment for obstruction

of justice pursuant to Section 3C1.1; and (b) that Client's conduct at the meeting is a relevant factor under 18 U.S.C. § 3553(a).

(4) The government may make derivative use of any statements made or other information provided by Client during the meeting. Therefore, the government may pursue any investigative leads obtained directly or indirectly from such statements and information and may use the evidence or information subsequently obtained therefrom against Client in any manner and in any proceeding.

(5) In any proceeding, including sentencing, the government may use Client's statements and any information provided by Client during or in connection with the meeting to cross-examine Client, to rebut any evidence or arguments offered on Client's behalf, or to address any issues or questions raised by a court on its own initiative.

(6) Neither this agreement nor the meeting constitutes a plea discussion or an attempt to initiate plea discussions. In the event this agreement or the meeting is later construed to constitute a plea discussion or an attempt to initiate plea discussions, Client knowingly and voluntarily waives any right Client might have under Fed. R. Evid. 410, Fed. R. Crim. P. 11(f), or otherwise, to prohibit the use against Client of statements made or information provided during the meeting.

(7) The government reserves the right to argue that neither this agreement nor the meeting constitutes the timely provision of complete information to the government concerning Client's involvement in an offense, within the meaning of Section 3E1.1(b) of the Sentencing Guidelines.

(8) If and when required to do so by a court, the government may disclose to the Probation Office or the court any statements and information provided by Client during the meeting.

(9) The government may disclose the fact of the meeting or the information provided by Client during the meeting to the extent the government determines in its sole discretion that disclosure would be in furtherance of its discharge of its duties and responsibilities or is otherwise required by law. Such disclosure includes disclosure to a local, state, federal, or foreign government office or agency, including but not limited to another prosecutor's office, if the recipient of the information agrees to abide by the relevant terms of this agreement.

(10) The terms and conditions set forth in this agreement extend, if applicable, to the continuation of the meeting on the dates that appear below.

(11) It is understood that this agreement is limited to the statements made by Client at the meeting and does not apply to any oral, written or recorded statements made by Client at any other time.

(12) This document embodies the entirety of the agreement between the government and Client to provide information and evidence. No other promises, agreements or understandings

exist between Client and the government regarding Client's provision of information or evidence to the government.

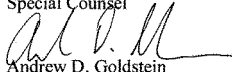
(13) Client and Client's attorney acknowledge that they have read, fully discussed and understand every paragraph and clause in this document and the consequences thereof.


Dated: 1/18/2019

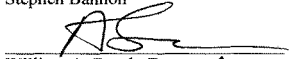
At: 12:55pm

ROBERT S. MUELLER, III  
Special Counsel

By:

  
Andrew D. Goldstein  
Attorney  
Special Counsel's Office

  
Stephen Bannon

  
William A. Burck, Esq.  
Attorney for Client

*Alex Spiro Esq.*

Dates of Continuation

Initials of counsel, Client and government attorney

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b7E

FD-302 (Rev. 5-8-10)

- 1 of 11 -

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/30/2017

Deputy Attorney General Rod J. Rosenstein, residing at [redacted] Maryland, government mobile [redacted] [redacted] main office telephone [redacted] was interviewed at the U. S. Department of Justice's Robert F. Kennedy Building, located at 950 Pennsylvania Avenue, NW, Washington, DC. Present for this interview was Scott N. Schools, Associate Deputy Attorney General, direct office telephone [redacted] government mobile [redacted] [redacted] serving as Rosenstein's counsel. Having provided him with the identities of the interviewing agents and the reason for the interview, Rosenstein provided the following information:

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b7C

Rosenstein prefaced his interview with a caveat that attorneys of the Department of Justice have advised him not to discuss the content of any conversations with the President until the issue of privilege has been resolved.

## The Events of May 8, 2017

On May 8, Rosenstein was summoned to a meeting at the White House Counsel's Office attended by Attorney General Jeff Sessions and White House Counsel Donald McGahn. The meeting was placed on his calendar and scheduled by Rosenstein's assistants. Rosenstein was not informed of the purpose of the meeting. Rosenstein held up a typed document he described as his written recollection of the details of the meeting and expressed his desire to share that recollection with interviewing agents. Rosenstein also referenced a stack of documents on the table beside him and indicated his interest in providing interviewing agents with copies.

Rosenstein was advised by Schools that neither the written materials, nor Rosenstein's recitation of what was discussed with any White House staff, should be provided to interviewing agents until the issue of privilege is resolved. Rosenstein's preference was to wait for Robert Mueller III, in his role as newly appointed Special Counsel, to engage the White House on the issue of

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Investigation on 05/23/2017 at Washington, District Of Columbia, United States (In Person)  
 File # [redacted] Date drafted 05/25/2017  
 by [redacted]

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privilege, then determine whether the documents, and his oral recounting of any meetings with the White House, should be provided to the FBI.

The May 8 meeting at the White House Counsel's Office started at noon and initially included only Rosenstein and McGahn. They were later joined by Attorney General Sessions and Sessions' Chief of Staff, Jody Hunt. At some point during the meeting, White House Chief of Staff Reince Priebus came into the room. This was the first time Rosenstein and Priebus had met. During this meeting the parties ordered lunch and ate in McGahn's office. Rosenstein authorized interviewing agents to consult his protection detail, staffed by the U.S. Marshals Service, in order to collect the exact time of the meeting. Rosenstein opined the meeting may have ended before 2:00 pm.

Rosenstein returned to the White House around 5:00 pm for a meeting at the Oval Office. This meeting was not scheduled on his calendar. This meeting "lasted probably less than an hour." Also present at the meeting were President Donald Trump, Uttam Dhillon, Sessions, McGahn, Priebus, Hunt, and a man he believed was John Eisenberg. At some point during the meeting, Vice President Michael Pence joined the meeting.

The Oval Office furniture was arranged with chairs in a semi-circle around the President's desk. Rosenstein was in one of those chairs. Behind the chairs was a couch, so Rosenstein cannot be certain whether others attended or departed.

Rosenstein said "I knew when I left Director Comey would be fired." During this meeting, Rosenstein was tasked to write a memorandum summarizing his concerns about former FBI Director Jim Comey, and was given a deadline of the following morning. When he left the meeting he felt tense because he did not have a lot of time to complete the memorandum, and he felt uncertain because he did not know its ultimate disposition. The memorandum had to be 100% accurate so he "could stand behind it." At the conclusion of this meeting, Rosenstein returned to his office and began to write his memorandum. Rosenstein remained at his office late and did not get much sleep that night.

When Rosenstein returned to his office, he informed his staff he had been tasked with writing the memorandum. Contemporaneously with Rosenstein's drafting of his memorandum, his staff drafted their own version. His staff included Chief of Staff and acting Principal Associate Deputy Attorney General James Crowell and Deputy Chief of

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein, On 05/23/2017, Page 3 of 11

Staff Zachary Terwilliger. Crowell and Terwilliger were the only individuals who saw Rosenstein's memorandum until the next morning (May 9) when he provided a copy to Schools.

When Crowell and Terwilliger completed their draft memorandum, they provided it to Rosenstein, who may have incorporated some of their language. [REDACTED]

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b7C

b5 per DOJ/OIP

On March 2, 2017, Rosenstein had lunch with [REDACTED] at [REDACTED]'s request. [REDACTED] was [REDACTED] in the 1970s under President Gerald Ford. Rosenstein shared Comey's public statements regarding the Clinton investigation with [REDACTED] and they discussed [REDACTED]. [REDACTED] was "disappointed" in Comey's public statements and thought they were damaging to the Bureau and the Department of Justice.

b6  
b7C

Rosenstein remained in his office working on his memorandum until very late on May 8.

#### Events of May 9, 2017

Rosenstein returned to his office early on May 9 to finish the memorandum. On the morning of May 9, Rosenstein received two telephone calls from McGahn. Rosenstein did not do anything after either phone call as a result of whatever was discussed.

Around 10:00 or 10:30 am, Rosenstein provided a copy of his draft memorandum to Scott Schools, [REDACTED]

[REDACTED] Around noon, Crowell took a copy of Rosenstein's memorandum to Sessions. Crowell returned later that day with Rosenstein's memorandum bearing minor edits, (presumably made by Sessions), [REDACTED]

No one from outside the Department of Justice tried to influence Rosenstein's drafting of his memorandum.

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein, On 05/23/2017, Page 4 of 11

Sessions did not see Rosenstein's memorandum until after 12:00 pm on May 9. Rosenstein was unsure whether Sessions wrote his memorandum before or after seeing Rosenstein's. Rosenstein did not see Sessions' memorandum until the following day.

Rosenstein and Sessions did not discuss whether Sessions should participate in Comey's termination. Rosenstein explained Sessions was recused from "the matter," not from managing the component.

Rosenstein was not sure how the White House would react to his memorandum because it was "not consistent with the President's comments" made during his campaign. According to Rosenstein, the President commended Comey about his handling of the Clinton e-mail investigation.

Rosenstein assumed and expected the President or Attorney General, or possibly Rosenstein himself as Deputy Attorney General, would contact former Director Comey to schedule a meeting to inform him of his removal. Rosenstein expected it to happen soon because the termination was imminent.

Rosenstein contemplated his memorandum would one day be released to the public but had not expected it to be released immediately. Department of Justice Public Affairs Specialist Sarah Flores opined to Rosenstein the issue of the release of the memorandum may have been previously discussed by Department officials, but Rosenstein could not recall the exact exchange with Flores because he was very busy with meetings on May 9 between 1:00 pm and 5:00 pm.

At some point on the afternoon of May 9, Rosenstein telephoned McGahn and learned when Jody Hunt delivered Rosenstein's memorandum (and presumably Sessions'), Hunt remained in the Oval Office for two hours. Hunt later acknowledged he had been there for two hours.

Later that afternoon, Rosenstein demanded Crowell ask Jim Rybicki to locate Comey to "bring him in" to inform him of the looming termination. Rosenstein exclaimed Comey "was a friend of mine and the FBI Director, we need to find out where he is." At that time, he had formed the mistaken impression Comey was on his way to Los Angeles. He later discovered Comey had already arrived.

When Rosenstein learned Comey was informed of the termination by e-mail, he was "angry, ashamed, horrified, and embarrassed." It was also humiliating for Comey. Rosenstein was not copied on the e-mail to Comey, and was surprised the media portrayed the termination as Rosenstein's idea. At some point that evening, Sarah Flores told

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein, On 05/23/2017, Page 5 of 11

Rosenstein something she had heard from a contact at the White House. (Schools advised Rosenstein not to discuss the content of the conversation.) Based on the exchange with Flores, Rosenstein told her the Department of Justice "cannot participate in putting out a false story." Rosenstein opined Flores's White House contact was someone from the White House Chief of Staff's Office or Public Affairs. Flores informed Rosenstein the White House requested he attend a press conference on the termination but Rosenstein refused.

Later that evening, Rosenstein received a short telephone call in his office from the President. Crowell was in Rosenstein's office at the time. After the telephone call, Rosenstein visited Sessions' office (not as a result of the call). Flores was in the secretary's vestibule outside Sessions' office on a phone call. Once the call terminated, she informed Rosenstein it was a call from a "high-ranking official at the White House." Sessions was not part of that conversation, and nothing significant was discussed between Rosenstein and Sessions at that time.

By the evening of May 9, it was clear White House officials had been telling the story about the Comey termination in a manner "inconsistent with my experience and personal knowledge."

#### Events of May 10, 2017

Rosenstein first contacted Mueller on May 10 at 7:34 am, but "of course" he was thinking about the issue of appointing a special counsel before that time.

Then, at 11:30 am, Rosenstein attended a previously scheduled meeting with the prosecutors assigned to the FBI's Russia investigation. This was the first regularly scheduled meeting on the matter. During this first meeting, and in light of all the controversy surrounding the investigation, Rosenstein declared, "In my acting capacity as the Attorney General, leave no stone unturned" or words to that effect. However, those assigned to the case are career prosecutors, so in his personal opinion, telling them to do so was unnecessary because he knew they would do the right thing.

During his May 10 briefing, the team confirmed for Rosenstein the President was not a suspect. This was also Rosenstein's impression from his initial April 28 briefing he received from then Director Comey. Carl Ghattas may have attended this briefing, as well as several prosecutors.

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein , On 05/23/2017 , Page 6 of 11

Rosenstein elaborated that based on his May 10 briefing, "there appeared to be no evidence the President was involved personally." Rosenstein inquired whether they needed additional resources, and was informed there was no such need.

b5 per DOJ/OIP

Several times throughout the day on May 10, Sarah Flores gave Rosenstein "tick tock" summaries of news events related to Comey's termination, which Rosenstein explained was not a time line, but a sequence of events. Sometime later that evening, Flores showed him a tick tock summary he believed was reasonable, and authorized its release. Rosenstein and McGahn spoke later that evening on the subject (and before the summary's release). Both were stressed over the situation.

Rosenstein's main reason for appointing a special counsel was due to public perception of the process. It did not reflect a lack of confidence. Rosenstein was inclined to appoint a special counsel immediately the morning of May 10. Rosenstein was concerned about his position at the Department of Justice and it caused him stress, but it did not influence his decision.

Rosenstein was not present at the White House on May 10 when President Trump referred to Comey as a "nut job," does not know who else was present, and knows only what he read in the newspaper.

#### Rosenstein's Opinion of Jim Comey

Rosenstein's opinion of Comey's handling of the Hillary Clinton investigation began to form the previous fall, and was also informed by others, whose opinions he read in the newspaper. Rosenstein interjected "I've always liked Jim Comey," but he disagreed with his decisions "in that case." Rosenstein paused a moment, appearing to have been overcome by emotion, but quickly recovered and apologized.

Rosenstein recalled inviting Comey to speak at a Department of Justice training conference in October 2016. After he made his

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remarks, he solicited questions, and attorney [REDACTED] raised his hand and asked Comey about his handling of the Clinton press conference. Comey described his state of mind at the time and acknowledged it was inconsistent with Department of Justice practice but stated "we acted in good faith." Rosenstein "fundamentally disagreed with his reasoning," and discussed the issue "with several attorneys" who all agreed "we would never do anything like that."

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Rosenstein also recalled being invited late 2016 or early 2017 to Sessions' senatorial office for coffee. During this conversation, Rosenstein told Sessions he was friends with Comey but believed there should be a change in FBI management because the FBI's reputation had been damaged "because of 2016." Rosenstein agreed with Sessions it would be "appropriate to have a fresh start."

On May 1, 2017, Rosenstein attended a "component meeting" and afterwards, Rosenstein asked Comey to remain, and they met privately in Comey's old office during his tenure as Deputy Attorney General. It was his first and only meeting with Comey in the role of Deputy Attorney General, which directly supervises the position of FBI Director. [REDACTED]

b5 per DOJ/OIP

[REDACTED] During this meeting, Comey discussed a dinner he attended at the White House with the President. Rosenstein described Comey as not an "alarmist" but Comey described the dinner as "strange" and "awkward." The President did all the talking during this dinner.

Rosenstein reiterated his goal in drafting his memorandum was not to "fire Comey." It never occurred to him he "would be responsible for determining whether to remove him." It never crossed his mind the removal of Comey would impact the Russia investigation. Rosenstein "doesn't know what the White House was thinking." The notion that removing Comey would impact the FBI's Russia investigation never crossed his mind.

Rosenstein was comfortable with Comey either being fired or not fired. Rosenstein did not believe staffing decisions were his to make; the deputy attorney general was only to make recommendations. If the decision was made not to fire Comey, Rosenstein intended to inform him "we didn't make public statements."

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein, On 05/23/2017, Page 8 of 11**Rosenstein's Selection as Deputy Attorney General**

Senator Sessions telephoned Rosenstein on November 28, 2016, and invited him to his office to "talk about the Department." A few days later, Rosenstein visited Sessions. Rosenstein did not know for which position he was being considered. It was clear only that he was being considered for "a position." [REDACTED] b5 per DOJ/OIP

b6  
b7C

[REDACTED] Sessions summoned him to his office several times for meetings. Before one such meeting, he waited with Rachel Brand and they discussed personnel matters, after which Brand commented the fact they had both been summoned meant they were both going to be offered positions in the new administration under Sessions. This was important because Brand was supposed to start a new job the following day and needed to know whether to withdraw from the position.

b5 per DOJ/OIP

[REDACTED] All of his meetings during the hiring phase were between Rosenstein and either Sessions or Sessions' aides. Rosenstein recalled [REDACTED] who was a close friend of Sessions, was present during some of the early meetings, as were other employees of Sessions, including [REDACTED] who served as then-Senator Sessions' aide before coming to the Department of Justice.

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Rosenstein was never certain for what position he had been nominated, but assumed it was either the deputy attorney general or associate attorney general position. In fact, he was nominated to be deputy, and Brand was nominated to be associate. [REDACTED] b5 per DOJ/OIP

Sessions and Rosenstein never discussed the Russia investigation during this time period. Rosenstein only knew about the Russia

UNCLASSIFIED//~~FOUO~~

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein, On 05/23/2017, Page 9 of 11

investigation what he read in the newspaper. During his confirmation hearing, Rosenstein thought it "almost preposterous" that he would have any involvement with the investigation. Only after discussing the matter with Comey did Rosenstein know anything about the investigation.

The Russia investigation had been monitored by acting Principal Deputy Attorney General Crowell and Dana Boente until Rosenstein was sworn in as Deputy Attorney General. Rosenstein's first briefing on the matter was provided by Comey on April 28, 2017. Terwilliger was excluded from these briefings.

#### Interviews of Potential Director Candidates

In January 2017, Rosenstein called "a few people" to see if they would be interested in the position of FBI Director but when he heard the President had given his public support to Comey, Rosenstein stopped asking around.

b5 per DOJ/OIP

Rosenstein and Sessions conducted several interviews "a week ago Saturday," more on last Sunday, then engaged in several telephone calls with individuals "offering advice" or with prospective candidates. Rosenstein telephoned "a lot" of former Justice Department and Bureau officials looking for good candidates. There were two former deputy attorneys general Rosenstein hoped would consider the position, but neither was willing to apply.

Rosenstein participated in several interviews for the position of FBI Director. Those interviews were conducted by Rosenstein, Jody Hunt, [REDACTED] and Sessions. Sessions and Rosenstein asked most of the questions.

b6  
b7C

b5 per DOJ/OIP

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein, On 05/23/2017, Page 10 of 11

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

The first candidate to be interviewed at the White House was b5 per DOJ/OIP  
Mueller. [REDACTED]

b5 per DOJ/OIP

b5 per DOJ/OIP

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of Rod Rosenstein , On 05/23/2017 , Page 11 of 11

b5 per DOJ/OIP

**Rosenstein Appoints Mueller as Special Counsel**

Rosenstein's first conversation with Mueller for the position of Special Counsel was during a telephone call on Wednesday, May 10, 2017, at 7:34 am. On Friday, May 12, Rosenstein met with Mueller in person. Later that evening, Jody Hunt telephoned Mueller.

Rosenstein and Sessions spoke with Mueller on Saturday, May 13. Mueller informed them he did not want to be interviewed for the FBI Director position. Rosenstein instead convinced Mueller to share with Sessions Mueller's views about "what should be done with the FBI." Sessions thought Mueller's comments were "brilliant." Rosenstein did not want to interview Mueller and then reject him, so they made it clear they only sought his opinion.

Nevertheless, Mueller was placed on the White House's list of potential candidates for FBI Director. Jody Hunt was the Department of Justice's primary contact with the White House and may have got him on the list for an interview. Mueller was interviewed for the position of FBI Director, but later decided to withdraw from consideration.

Mueller interviewed for the Director position on Tuesday, May 16. Rosenstein did not coordinate Mueller's interview for the position of Director.

When Rosenstein appeared before Congress on Thursday, May 18, he did not discuss anything related to communications with the White House because he believed such matters were within the scope of the Special Counsel's investigation. Although Rosenstein assigned a special counsel, he did not dictate exactly what the Special Counsel would include in its investigation. He had considered several candidates for Special Counsel, including Jim Coles.

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-653

Rod Rosenstein, [REDACTED] MD 20817, DOJ cell [REDACTED] main [REDACTED]  
[REDACTED]

b6  
b7c

May 8 of this year, summonses to meeting at WH with McGan and AG, at WHC office. he didn't speak to him, assistants schedules it. Found out thorough DOJ staff AG would be there. He didn't know purpose of meeting.

He wrote down his thoughts on the meeting but doesn't want to give it over yet. Wants Mueller to talk to WH for approval before discussing contents. Started at noon, at first just him and McGahn, then AG and chief of staff Jody Hunt arrived. At one point Reince Priebus came into room, first time they met. He ordered lunch, they ate in McGHns office. His protection detail would have exact times, probably got back between 1 and 2. Detail can give us times. Marshalls.

Returned for meeting at oval office at 5pm, not on his calendar though. That white house meeting lasted probably less than an hour. Present at the meeting was P, Uttam Dhillon, him, the AG, initially Donald McGhan, Reince Priebus, Jody Hunt, and a man he believes to be John Eisenberg. At some point the VP came into the meeting. Returned to DOJ, then started writing memo. I knew when I left D Comey would be fired and told the below staffers and that he was tasked to write memo summarizing his concerns about Comey. He left tense because he didn't have a lot of time and uncertain because he didn't know the ultimate disposition of the memo. Had to be 100% accurate so he could stand behind it.

They drafted their own memo too. They did it at the same time he worked on his then he might have incorporated some of their comments. One thing they did is draft a memo, then collected public criticisms of Comey's comments and gave him a page of it. Printed all those comments and articles criticizing Comey's stuff. Also got transcript of Comey May 3 congressional testimony.

His opinion on Comey dated back to last fall. Opinion was also informed by opinions of others he read in papers etc. Had lunch with [REDACTED] at [REDACTED] request. He's a former [REDACTED] in 70's under Ford. He wanted to share with DAG those public statements and [REDACTED] was disappointed in Comey's public statements and how damaging they were to Bu and Dept.

b6  
b7c

I've always liked Jim Comey. Disagreed with his decisions in that case.

Spoke to two staffers, James Crowell who is chief of staff and acting principal associate deputy attorney general, and Zachary Terwilliger, who is deputy chief of staff. They assisted him in writing the memo. They were the only ones who saw memo until the next morning when he showed memo to Scott May 9 morning.

Was in office until very late May 8, came home, came back May 9, got 2 phone calls from McGhan. b5 per DOJ/OIG  
Morning, Scott reviewed memo around 10am [REDACTED]

Around noon, Crowell took copy of memo to AG, Crowell returned later with edit [REDACTED]  
[REDACTED]  
[REDACTED] He signed it.

FBI(19cv1278)-654

He knew AG was working on his memo but never saw it until the next day. Next thing he recalled – asnt sure what WH would think of his memo because not consistent with P's comments on campaign. He assumed P or AG and possibly DAG would have to contact Comey to schedule a meeting to inform of removal. He expected that. He knew it was imminent and figured he'd be called in for a meeeing.

Sarah Flores, PAU recalled convo about DONJ releasing memos. Doesn't remember either way. Not involved in AG's memo. He contemplated memo would one day be reeleased . didn't know it would be done immediately, although Sarah thought that might have been discussed. He had several meetings between 1 and 5 so busy day.

At some point he called McGhan that afternoon and learned Jody Hunt spent two hours in oval office. He took memos over from DOJ. Hunt said he was there. Later that afternoon, Comey was a friend of mine and FBI D, we need to find out where he is. Told Jim Crowell to tell Jim Rybicki to find Comey to bring him in to give him news. He formed mistaken impression Cmoey was on his way to LA, later learned he was already there.

When he found out how he was fired, he was angry, ashamed, horrigied, embarrassed, it was humiliating for Comey. At some point that evening, PAO Sarah Flores told DAG something she heard from WH. And DAG told her the DOJ cannot participate in putting out afalse story. Sarah said WH wanted him to attend press conferecnce and he refused.

Received phone call from P later that evening. Crowell was in DAG's office. Short call. Shortly alater he was in AG's office, which is normal, Sarah was on phone with high ranking WH person, and after that, Sarah said it was call from WH. Sarah and DAG was in secretary's office having exchange with Sarah while she was on phone. AG not part of that convo. No significant convo with AG at that time.

Evening of May 9 it was clear WH officials was telling story about firing d that was inconsistent with DAG's experience and personal knowledge.

He called Mueller at 734am on may 9m but was of course thinking about it before. He "realized immediately the problem."

April 28- first briefing on Russia led by comey. Some of ghattis might have been there and prosecurtors.

May 10- called Mueller on 734am on may 10<sup>th</sup> (corrected previous mistake). May 10 previously scheduled meetingh with prosecutors on Russia investigation.

1130 am May 10 was first regularly scheduled meeting. He said in my acting capacity as AG- leave no stone unturned. Because of all the controversy and therefore, leave no stone.... In his personal opinion teling ihm that was unnecessary because they are career prosecutos and would do the right thing.

Confirmed president was not suspect. That was also his impression on april 28 when comey told him that. Based on his briefing there appeared to be no evidence P was involved personally. They saw no b5 per DOJ/OIP need for additional resources (DAG asked) and [REDACTED]



b5 per DOJ/OIP

[REDACTED] On May 10 several times throughout the day, Sarah gave him a "tick tock summary" of news events ... not a time line but sequence of events. Some time early evening she showed him one he thought was a reasonable summary of events. It was released later that evening. He and McGhan spoke later that evening about that. McGhan called him BEFORE they released the sequence of events. They were both stressed over the situation.

Public perception of process, so he decided to appoint special counsel. No lack of confidence, purely an issue of public perception. He was inclined to appoint SC immediately that morning. He was concerned about his position here but it stressed him but did not influence his decision.

No information about the nut job comments.

He invited Comey to speak at the October training conference. [REDACTED] raised his hand and asked about the Clinton press conference. He told entire story about his state of mind and knows it was inconsistent with DOJ practice but we acted in good faith. DAG fundamentally disagreed with his reasoning, discussed with several attorneys, we would never do anything like that.

b6  
b7C

No one from outside tried to influence his drafting of his memo.

AG didn't see DAG's memo until after noon on that day. So perhaps AG wrote his already. So AG

His opinion is AG's recusal from a matter does not mean he is recused from "managing the component."

He reminded in his statement he and AG discussed Comey, was invited to AG to talk have coffee in Sessions office. He told AG he was friends with Comey but that there should be change in FBI management because reputation was damaged and he agreed with AG it would be appropriate to have a fresh start. AG knew DAG liked Comey.

DAG was ok firing or not firing, his view was it is not his decision to fire or not fire. He only makes recommendations.

As DAG he felt if D was going to stay he would tell him we didn't make public statements

May 1- component meeting

b5 per DOJ/OIP

One meeting he had with Comey as DAG was [REDACTED]

[REDACTED] and they spoke in Comey's old DAG office. Comey talked about the dinner with the P at that time. Comey wasn't alarmist, but just "strange/"

His goal WAS NOT to fire Comey. It never occurred to him he would be responsible for determining whether to remove him. The notion removing Comey would impact the Russia thing never crossed his mind. He never believed the termination had anything to do with Russia. He doesn't know what WH was thinking.

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Comey told him after their one meeting he had an awkward dinner with president, his demeanor was odd, he didn't know it would just be the 2 of them, P did all the talking. But in his mind, P is not subject of this (collusion) investigation.

In congress he would not discuss anything related to communications with WH because within scope of Mueller's investigation. He assigned the matter but didn't dictate what so he didn't know exactly what he was investigating.

Sessions (then senator) November 28 called and said let's talk about department. Came in few days later, didn't know what he was being considered for. It was clear he was being considered for "a b5 per DOJ/OIP position." [redacted]

b6  
b7C

This led to sessions calling him to his office a few times for meetings. At one meeting Rachel Brand and he were talking about personnel and Rachel said I guess the fact we were here means we were getting the jobs. Apparently Rachel needed to know whether to withdraw from another job she was supposed to start the next day. [redacted] His only meetings were with AG and AG's aides. Never with WH. [redacted] close friend of AG was in some of those early meetings. Others too, ex's of senator. [redacted] b5 per DOJ/OIP

b6  
b7C

Never certain when he was nominated but began to assume it was DAG or associate AG (Rachel got that job). [redacted]

b5 per DOJ/OIP

They never talked about Russian thing. Only what he knew in paper. Then during confirmation hearing he found it almost preposterous that he would have involvement with Russian piece. Only after talking to Comey did he know anything about Russian piece.

Boente and Crowell as acting PDAG were only ones monitoring Russia case until DAG sworn in. got his first briefing on April 28. APDAG been acting since January 20.

In January he called a few people to see if they would be interested in FBI D but then Trump said he supported Comey so he stopped asking.

b5 per DOJ/OIP

AG and DAG conducted a lot of interviews a week ago Saturday, then last Sunday, then several phone calls with people offering advice or prospective candidates and DAG was calling a lot of former DOJ officials and Bu friends looking for good candidates. There were 2 DAG hoped would take the job. Neither was willing to apply.

The interviews he participated in was Jody Hunt, [REDACTED] AG and Dag. AG and DAG asked most of the questions [REDACTED]

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

DAG's first conversation with Mueller was May 10 at 734 am. Met with him Friday . later, Jody reached out to him Friday night about FBI D and he interviewed Tuesday. Over the weekend on Saturday they talked. They talked to Mueller by phone along with AG. He briefly shared his views about what should be done with FBI, AG thought it was brilliant. He somehow got on WH list. Jody Hunt was primary POC with WH and he probably got him on the list at WH for an interview. He said on phonic he didn't want to be interviewed for FBI D, DAG convinced him to share with AG what he should be looking for for D. AG thought he was spot on. DAG didn't want to interview then reject him, so they made it clear they just wanted his opinion... "I know youre not applying for the job but please share what we should be looking for but...." Then later somehow he got on the WH list for potential candidates.

Mueller interviewed but later decided to withdraw from position of FBI D.

5/23/17

1/10

Schwartz, Scott  
 Rosenstern, Rod

[redacted]

b6  
 b7c

[redacted]

[redacted]

, May 20 2017

W. cell -

w phone

[redacted]

8 May mtg w/ McBurn + AG At WH. could office  
 learned AG would be there

wk to prepare

Rosenstern wrote down a statement  
 will give

started @ noon back before 2 but unsure  
 alone w/ me

Jill Hunt cos arrived  
 at one point Pence Priebus arrived

(first time he met  
 Priebus)

ordered lunch  
 conversation covered by privilege

returned to WH office @ 5 pm  
 less than an hour

Pres. Trump, Dr. Hillon, DAG AG

Donald McBurn, Pence, Priebus, Hunt  
 John Eisenberg (went to DAG but left till  
 at sun. plant VP entrance)

2/10

know that Dir Comey was going to be fired  
 returned to DOJ, started to write the memo  
 spoke to ~~Jim~~ Crowell PADAG  
 to Zachary Terwilliger DCOS  
 2 ~~staff~~ Aids

bootside  
 idg w/ Memo

told above tasked to write a memo about  
 Dir Comey  
 Assigned ~~to~~ DAC in writing the memo  
 only for who saw that day  
 shared + Scott on 9 May

felt sense b/c limited for  
 uncertain as to the disposition  
 had to be 100%

they drafted their memo - DAC incorporated  
 two

Zach collected public criticism of asked about Lynch  
 congressional hearings, articles

Didn't consult w/ any one  
 opinion formed prior

March 2

scheduled lunch w/ DAC  
 he wanted to share an  - how  
 disappointed he was about Dir Comey's  
 handling

b6  
 b7c

Draft completed on 9 May

3/2/10

\*

9 May 2 calls from McGahan  
didn't do anything different

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

DAG knew AG was working on his own memo  
DAG not involved w/ AG's memo

My reasons were not consistent w/ what the  
Pres. said on campaign - namely <sup>Pres</sup> ~~Carey~~ commended  
~~the~~ Carey cabinet <sup>investigator</sup>

DAG assumed a mtg would be scheduled that  
day to terminate Dir Carey

Sarah Flores Public Affairs recalled  
DOJ making a statement

\*

afternoon called Mr. McGahan

AG's COA Hunt spent 2 hours at the oval  
office

Hunt took AG and DAG's letters to W.H.  
believed Hunt told her

4/10

DAG told counsel to reach out to Rybick;

when told Coney was to be fired

that evening

Search Flores

told

evening

DOT can't participate in putting out a false story

W.H. wants a press conference

\* later evening, received a phone call  
Didn't do anything

after DAG was in the AG's office  
Flores on the phone w/ ~~that~~ a high  
ranking W.H. official  
outside AG's office

# AG not w/ DAG and Flores

W.H. officials telling a story of Coney's  
was diff. than DAG's knowledge  
part from Flores and part from News

surprised

- 1.) done by memo
- 2.) all Pershing's ideas

Not copied or email



5/10

Special Counsel

7:34a called Mueller on 10<sup>th</sup> May

11:20 reg. scheduled w/ Justice ~~investigator~~,  
prosecutor

28 April - Comey briefed Justice invest  
Guthrie and prosecutor  
DAG in charge

1st of Registry was 11:20 on 10  
I am acting AG continuation  
have no stone unturned. If Russian's involved  
prosecutor

Confirmed sup Not a suspect  
in evidence President was involved

length [redacted]  
No Need for add'l resources

b5 per DOJ/OIP

[redacted]  
[redacted]

Flower gave Tim Toe of firing  
they put out

\* Donald O'Har from with. called DAG before  
the sequence released  
both stored

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6/10

public perception of process  
 not reflective of ~~process~~ and Agents  
 inclined to appoint a special counsel that means  
 were you  
 concerned about your position - yes, but <sup>bl. parts sta:</sup>

not present out Oval office on 10 May  
 only what he saw

9 May unsure if AG drafted his defense of after  
 DAG showed to AG after Noon

No discussion if AG should be involved  
 DOJ ~~has~~ are recused from the matter  
 not from managing the component

MOU of 2016 - <sup>first</sup> meeting  
 told him Jim Comey was excited  
 there should be a change b/c of  
 2016

DAG doesn't make staffing decisions only  
 recommendations

DAG okay w/ ~~and~~ or w/out Comey  
 Component had 12 May w/ Comey At DOJ  
 what's our policy on public statements  
 Back in DAG's office

7/10

Impact of removing Comey from FBI would  
 not impact the Russia investigation  
 DAG never thought that - didn't cross his mind

Comey said to DAG Acknowledged dinner w/ the President  
 only Comey and President  
 it was before

back  
 pulled back

TO Congress - I don't know what he's inviting  
 Give Mueller the opportunity to investigate

Now as Senator Sessions called

interviewed several days later

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED]

b6  
 b7C

[REDACTED]

Sessions called DAG to his office a couple times  
 Rachel Brand at the meeting

Never interviewed at WH

[REDACTED]

and as DS now  
 close friend of AG

b6  
 b7C

FBI(19cv1278)-666

8/10

only secretary

[redacted]

b6  
b7c

- AG's view we need New leadership of the  
FBI

[redacted]

b5 per DOJ/OIP

Never discussed the Russian case during ~~the~~ DAG's  
hiring interview

not until after DAG met w/ Comey,  
Cruz,  
Donna Burke

excluded each from the Russian matter  
until after Inowra is  
briefed on 21 April

=

Selection of next FBI Director  
- stressed initially b/c FBI is most  
important law enforcement in the country

[redacted]

b5 per DOJ/OIP

Monday, then Thursday - but slowed

9/10

How many

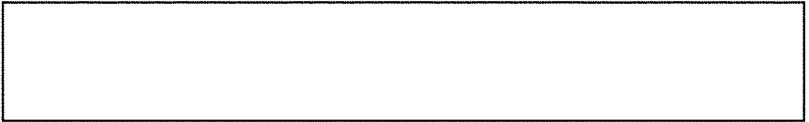
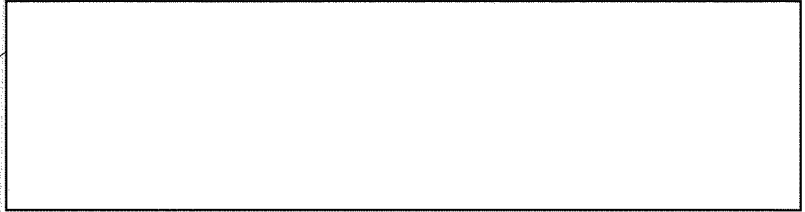
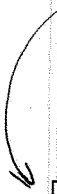
AG and DAG week ago Sat

AG + DAG asked get this one on Sunday

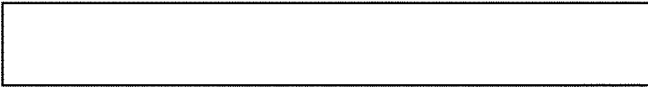
Served by phone, - either offering advice  
or confidante

b5 per DOJ/OIP

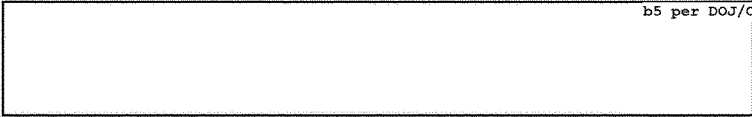
DAG



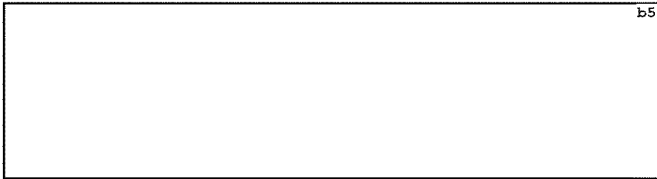
b5 per DOJ/OIP



b5 per DOJ/OIP



b5 per DOJ/OIP



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10/10

b5 per DOJ/OIP

Friday

AG and DAG at Mueller via phone  
 DAG called Mueller Day after the firing for special  
 DAG made conflicts w/ AG's office b1 of record  
 But,

\* This will not answer questions re: priv comm until

Scott Schuels present

①

3 pages

5/23 @ 2:30pm

of notes

R. Rosenstein →

[redacted]

MD -

[redacted]

all office

b6  
b7C

\* Discuss problem priv. comm. w/ WH + SC?

\* Documents requested from Hill and FBI

\* 5/8 meeting w/ Don McGahn → ~ 12pm (protection detail would have time)

\* learned AG would be there as well

\* did not know purpose of meeting

\* alone w/ McGahn at first

\* Jody Hunt + AG arrived next

\* Reince Priebus came in at some point

\* Returned to office at 5pm

\* President, Utan Diller, AG, Don McGahn,

Jody Hunt, Reince Priebus, Possible Eisenberg

VP came in at some point

\* Memo written that evening

Chief - James Crowell

Reputy Chief - Zachary Tiersworth

} Space to both re: memo

5/9 - Finished memo

\* After meeting at WH → told Crowell/Zach about publicly firing

\* Was told he had to write the memo and finish by next morning

\* They (2/3) drafted their own versions as well

\* R.R. used pieces of their memos in his

3/2 - Lunch w/ [redacted] - from [redacted]

b6  
b7C

\* Discussed Comey comments in public re: Clinton

\* Has written notes going back to last fall &  
→ Wants to give

③

Morning 5/9

- 2 telephone calls McGahn → nothing changed
- lte morning Schools reviewed memo

Late morning

b5 per DOJ/OIP

- [REDACTED]
- Knew AG was working on memo, but no foreknowledge of content
- His memo reflects his own views not anyone else
- He thought Potus, AG, or DAG would call Comey and <sup>terminate</sup> in-person
- Contemplated memo would be released, but did not think so soon
- That afternoon he learned <sup>→ possibly from Hunt himself</sup> Hunt took letters over to WH and spent 2 hours there
- Asked Crowell to reach to Rypinski to get Comey

• He then learned how Comey was <sup>RR became</sup> fired → <sup>emotional</sup> via email

Evening 5/9 • Flores → RR says he will not be part of a false story → refused to attend press conference

• WH Council

• Then received phone call from Potus

• Meeting w/ Pres

• Short call

• Phone calls WH (Sarah) • Later received another phone call

• Sarah's phone calls from WH → RR was up in AG's outer office

• He assesses WH press stories were inconsistent w/ his personal view/knowledge → <sup>RR</sup>says it was all his idea

• Believes may have heard from J. Hunt about email



Mueller  
~~Was~~ Made final decision to not go to Director  
 and leave law firm to become Special Counsel

(3)

5/10  
 7:34 AM → called Mueller (official offer)

5/10 → 11:30 met w/ Russia Prosecutors (First brief 4/28 by Comey re: Russia)  
 ↳ scheduled, Russia → leave no stone unturned

Russia Prosecutors → "Conformed President was not a suspect @ this meeting"  
 ↳ No need for [redacted] additional resources b5 per DOJ/OIP

- Flores (Tic Tac Summary) of finding first pattern → media
- Don McGahn called that evening re: release of sequence of events
- RR qualifies as call as "stressed"
- Special Counsel → out of a need to address public perception of the investigation
- Was concerned about his position if he appointed counsel, but did not change his decision
- 5/10 meet w/ Lavoie + Kislyak → no awareness of this meeting

• RR not sure when AG drafted his → he believes AG does not receive his until afternoon (RR)

• Nov 28, 2016 first meeting w/ AG

• Had a working relationship re: FBI

• He made a recommendation → staffing decision up to WH

• He would be okay if fired or if kept

• Comey + RR had public statement discussion (first meeting as DAG) one to

• He believed Comey was getting fired regardless of his memo 5/12 component Head only  
 → Did not anticipate it would all be put on him

• Never thought removal of Comey would impact Russia investigation

• ↳ Just his opinion of his career

Can't speak to anyone else

• Was aware of Comey meeting P. to see that was strange

- Wt Docs
- Crowell twilligh drafts
- Data Memo

(4)

Congress

- Would not discuss communication w/ Wt until discussions w/ SC

- 1<sup>st</sup> Data call 1<sup>st</sup> call from AG through did not know was an interview 11/28/16

b5 per DOJ/OIP

b6  
b7C

AG's Friend

- then met w/ AG a couple more times, no interview w/ Wt
- After inauguration - first contact with Wt

AG's Friend

- Initially reached out to two folks per FBI Director prior to end January

AG's Friend

- No prior discussion w/ AG re: Russia leading up to his appointment outside of media

- Crowell/Pearce ran Russia until after sworn in and 4/28 brief by Comey

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

5/16

b5 per DOJ/OIP

Share later

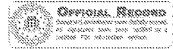
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FBI INFO  
CLASSIFIED BY: NSICG [REDACTED]  
REASON: 1.4 (C)  
DECLASSIFY ON: 12-31-2042  
DATE: 06-26-2019

- 1 of 12 -

~~SECRET//NOFORN~~ [REDACTED] (S)

FEDERAL BUREAU OF INVESTIGATION



b1  
b3  
b6  
b7C  
b7E

Date of entry 08/10/2017

(U) MARY McCORD, date of birth [REDACTED]

b6  
b7C

[REDACTED] was interviewed at the Office of the Special Counsel, 395 E Street SW, Washington, DC. Participating in the interview were Special Agents (SAs) [REDACTED] and Office of the Special Counsel attorneys Andrew Goldstein and Elizabeth Prelogar. SA [REDACTED] advised McCord that it is a violation of criminal law to lie to the FBI in the course of an investigation, which McCord acknowledged. After being advised of the purpose of the interview, McCord provided the following information:

b5 Per DOJ/OIP

(U) Employment History

(U) After law school, McCord clerked for U.S. District Court Judge Thomas Hogan for two years, and then spent two years at the Department of Treasury Office of Legal Counsel. In 1994, she joined the District of Columbia United States Attorney's Office (DC-USAO). [REDACTED]

b6  
b7C

[REDACTED] she went back to the DC-USAO. In 2001, McCord [REDACTED]  
[REDACTED] McCord again went back to the DC-USAO. In

~~Reason: 1.4 (c)~~

~~Derived From: Multiple Sources~~

~~Declassify On: 20421231~~

~~SECRET//NOFORN~~ [REDACTED] (S)

b1  
b3  
b6  
b7C  
b7E

Investigation on 07/17/2017

Washington, District Of Columbia, United States (In Person)

File # [REDACTED]

Date drafted 07/20/2017

by [REDACTED]

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FBI(19C1278)-674

~~SECRET//NOFORN~~ (U) (S)b1  
b3  
b7E

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 2 of 12

2012, McCord became the Criminal Chief, where she remained until May 2014, when she left to go to Main Justice.

(U) McCord started at DOJ as the acting Principal Deputy Assistant Attorney General for the National Security Division (NSD). In August 2014, she became the Principal Deputy Assistant Attorney General, where she remained until October 2016. In October 2016, after John Carlin's departure, McCord served as acting Assistant Attorney General (AAG) for NSD. McCord's last day at DOJ was May 12, 2017. She currently works at the Georgetown University Law Center.

(U) During the time McCord served as the acting AAG, there was no Principal Deputy in place, so she performed the duties of both positions simultaneously. Her duties included assisting in running NSD's various components, which include the Office of Law and Policy, Counterintelligence and Export Control Section, the Appellate Section, and the CFIUS Unit. On occasion, McCord would attend Deputies Committees (DCs) and Principals Committees (PCs) at the White House when Yates was unavailable.

(U//FOUO) The FBI Investigation on LTG Mike Flynn

(S) (S) the FBI's investigation into Mike Flynn (S) b5 Per DOJ/OIP  
 [REDACTED]  
 [REDACTED] b1  
 [REDACTED] b3  
 [REDACTED] b7E  
 [REDACTED] (S)

(S) (S) b5 Per DOJ/OIP  
 [REDACTED] the lack of Russian reaction to the U.S.'s December 2016 sanctions. There was a lot of speculation regarding the minimal response from the Russians which was not "what was expected"

[REDACTED] (S)  
 [REDACTED] b1  
 [REDACTED] b3  
 [REDACTED] b7E  
 [REDACTED] b5 Per DOJ/OIP  
 [REDACTED]

[REDACTED] b5 Per DOJ/OIP  
 [REDACTED]  
 [REDACTED] b1  
 [REDACTED] b3  
 [REDACTED] b7E

~~SECRET//NOFORN~~ (U) (S)

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FD-302a (Rev. 05-08-10)

b1  
b3  
b7E~~SECRET//NOFORN~~ [redacted] (S)

Continuation of FD-302 of (U) Interview of Mary McCord, On 07/17/2017, Page 3 of 12

b5 Per DOJ/OIP

(S) b1  
b3  
b7E

b5 Per DOJ/OIP

(S) b1  
b3  
b7E

(U)

b5 Per DOJ/OIP

(S)

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b7C  
b7D  
b7E

(U)

b5 Per DOJ/OIP

(S) b1  
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(S)

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(S) b1  
b3  
b7E~~SECRET//NOFORN~~ [redacted] (S)

FBI(19cv1278)-676

FD-302a (Rev. 05-08-10)

b1  
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~~SECRET//NOFORN~~ [redacted] (S)

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 4 of 12

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

(S)

(S)

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(S)

~~SECRET//NOFORN~~ [redacted] (S)

FBI(19CV1278)-677

FD-302a (Rev. 05-08-10)

b1  
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b7E

~~SECRET//NOFORN~~ (S)

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 5 of 12

b5 Per DOJ/OIP

(S)

b1  
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b7E

b5 Per DOJ/OIP

(S)

b1  
b3  
b7E

b5 Per DOJ/OIP

(S)

b5 Per DOJ/OIP

(S)

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b7E

(S)

(S)

~~SECRET//NOFORN~~ (S)

FBI(19cv1278)-678



~~SECRET//NOFORN~~

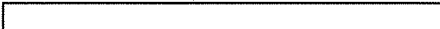
(S)


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Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 6 of 12

b5 Per DOJ/OIP









b1  
b3  
b6  
b7C  
b7E(U//FOUO) January 26, 2017 Meeting with White House Counsel's Office

b5 Per DOJ/OIP



b5 Per DOJ/OIP




(S)

(U//FOUO) On January 26, 2017, McCord accompanied Yates to the White House, where they met with White House Counsel Don McGahn and another attorney from his office, James Burnham. The four of them were the only ones at the meeting.

b1  
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b7E

b5 Per DOJ/OIP



(S)

~~SECRET//NOFORN~~

(S)

(b)(7)(C)(2/8)-679



b1  
b3  
b7E~~SECRET//NOFORN~~ [redacted]

(S)

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 7 of 12

b5 Per DOJ/OIP

(S)

b1  
b3  
b7E

(U//FOUO) McGahn asked if Flynn had been interviewed by the FBI and Yates told him that he had been interviewed [redacted]

b5 Per DOJ/OIP

[redacted] McGahn asked "how'd he do?" and Yates declined to answer. [redacted]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U//FOUO) January 27, 2017 Meeting with White House Counsel's Office

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b3  
b7E~~SECRET//NOFORN~~ [redacted]

(S)

FBI(19cv1278)-680

FD-302a (Rev. 05-08-10)

b1  
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b7E~~SECRET//NOFORN~~ [redacted] (S)

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 8 of 12

[redacted] X b5 Per DOJ/OIP

[redacted] X b5 Per DOJ/OIP

(S) [redacted] (S)

[redacted] b5 Per DOJ/OIP

(S) b1  
b3  
b7E

[redacted]

[redacted] X b5 Per DOJ/OIP

[redacted] X b5 Per DOJ/OIP

[redacted] X b5 Per DOJ/OIP

[redacted] X b5 Per DOJ/OIP

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b7E~~SECRET//NOFORN~~ [redacted] (S)

FBI(19cv1278)-681

FD-302a (Rev. 05-08-10)

b1  
b3  
b7E

~~SECRET//NOFORN~~ [redacted] (S)

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 9 of 12

[redacted] b5 Per DOJ/OIP

(S) [redacted] b5 Per DOJ/OIP  
[redacted] b1  
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b7E  
[redacted] (S)

(S) [redacted] b5 Per DOJ/OIP  
[redacted] b1  
b3  
b6  
b7C  
b7E  
[redacted] (S)

[redacted] (S)  
[redacted] b5 Per DOJ/OIP

[redacted] b5 Per DOJ/OIP  
[redacted] b1  
b3  
b7E

[redacted] (S)

~~SECRET//NOFORN~~ [redacted] (S)

b5 Per DOJ/OIP  
FBI(19cv1278)-682

b1  
b3  
b7E~~SECRET//NOFORN~~ [redacted] (S)

Continuation of FD-302 of (U) Interview of Mary McCord, On 07/17/2017, Page 10 of 12

[redacted] b5 Per DOJ/OIP

(S) [redacted]

[redacted]

[redacted]

[redacted]

[redacted]

b1  
b3  
b7E  
(S)

b5 Per DOJ/OIP

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

b1  
b3  
b7E  
(S)

b5 Per DOJ/OIP

[redacted]

[redacted]

[redacted]

b1  
b3  
b7E

~~SECRET//NOFORN~~ [redacted] (S)

FBI(19cv1278)-683

FD-302a (Rev. 05-08-10)

b1  
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b7E

~~SECRET//NOFORN~~ [redacted] (S)

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 11 of 12

[redacted] X b5 Per DOJ/OIP

[redacted] X b5 Per DOJ/OIP  
[redacted] b3  
[redacted] b5  
[redacted] b7E

[redacted] X b5 Per DOJ/OIP  
[redacted] b3  
[redacted] b5  
[redacted] b7E

[redacted] X b5 Per DOJ/OIP

[redacted] X b5 Per DOJ/OIP  
[redacted] b3  
[redacted] b5  
[redacted] b7E

[redacted] X b5 Per DOJ/OIP

[redacted] X b5 Per DOJ/OIP  
b1  
b3  
b7E

~~SECRET//NOFORN~~ [redacted] (S)

FBI(19cv1278)-684

FD-302a (Rev. 05-08-10)

b1  
b3  
b7E~~SECRET//NOFORN~~ [redacted]

(S)

Continuation of FD-302 of (U) Interview of Mary McCord , On 07/17/2017 , Page 12 of 12

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b1  
b3  
b7E~~SECRET//NOFORN~~ [redacted]

(S)

FBI(19cv1278)-685

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 06-26-2019 BY [REDACTED] NSICG

UNCLASSIFIED

Physical 1A/1C Cover Sheet for Serial Export

b6  
b7C

**Created From:**[REDACTED]  
Serial 56**Package:**

1A32

**Stored Location:**

None

**Summary:**

(U) Documents (numbered  
1-90) provided to McCord  
for review prior to the  
interview; agent notes;  
e-mails provided by  
McCord in the interview

b6  
b7C  
b7E

**Acquired By:**

[REDACTED]

**Acquired On:**

2017-07-17

**Acquired From:**

(U) Mary McCord  
Washington, District Of  
Columbia

**Attachment:**

(U) Documents (1-90),  
notes

~~SECRET~~

CLASSIFIED BY: NSICG [REDACTED]  
 REASON: 1.4 (C)  
 DECLASSIFY ON: 12-31-2042  
 DATE: 06-26-2019

b6  
b7C

ALL INFORMATION CONTAINED  
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 WHERE SHOWN OTHERWISE

b1  
b3  
b7E

FD-340 (Rev. 4-11-03)

File Number [REDACTED]

Field Office Acquiring Evidence WESerial # of Originating Document 56Date Received 7/17/17From Mary McCord  
(Name of Contributor/Interviewee)(Address)(City and State)By SA [REDACTED]To Be Returned ☐ Yes ☒ NoReceipt Given ☐ Yes ☒ NoGrand Jury Material - Disseminate Only Pursuant to Rule 6 (e)  
 Federal Rules of Criminal ProcedureFederal Taxpayer Information (FTI) ☐ Yes ☒ No☐ Yes ☒ No

Title: [REDACTED]

b6  
b7C  
b7E

Reference: Interview of Mary McCord  
(Communication Acquiring Material)Description: ☒ Original notes re interview of• Mary McCord interview notes• McCord's notes (pages 1-90)• emails provided by McCord

U.S. Department of Justice  
 Federal Bureau of Investigation  
 333 Pennsylvania Avenue, NW  
 Washington, DC 20535

~~SECRET~~

FBI(19cv1278)-705

2167885-1A SEC 002 SER 1A28--000014



~~SECRET~~

FBI INFO  
 CLASSIFIED BY: NSICG  
 REASON: 1.4 (C)  
 DECLASSIFY ON: 12-31-2042  
 DATE: 07-11-2019

b6  
 b7C

Mary McLeod

7/17/2017

date of birth: [redacted]

Spec. Coun. office

Address: [redacted]

SA [redacted]

SA [redacted]

current employment: Georgetown Univ.

Andrew Goldstein

Elizabeth Prologar

previous employment:

b5 Per DOJ/OIP

5/2014 - acting PD Asst. Atty Gen.

8/2014 - acting PD Asst. Atty Gen. *no princ. deputy where she was acting*

10/2016 - acting AAG for NSD

last 2 weeks - AAG for NSD

last day - 5/12/2017

clerked Judge Hagan 2 yrs

Treasury OLC 2 yrs

1994 - AUSA / DC (Holder was USA)

Year Dep Chief

b6  
 b7C

2012-2014 Criminal Chief

acting AAG &amp; prin. deputy AAG simultaneously.

responsibilities - running division, various components.

law &amp; policy, CES, DCs, PCs, appellate sections, etc.

CFUS,

b3  
 b7E

FBI(19cv1278)-725

~~SECRET~~

~~SECRET~~

b1  
b3  
b7E

b5 Per DOJ/OIP

(S)

b5 Per DOJ/OIP

lack of reaction to sanctions

there was speculation about what the  
not what was expected

b1  
\_b3  
b7E

CS



15

57

-b5 Per DOJ/OIP.

S

15

b1  
b3  
b7E

8) = 226

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~~SECRET~~

(b)

1/20/17

b5 Per DOJ/OIP

go to WHIO

met McGahn

+

James Burnham

Meeting: McGahn, Yates, McLeod, Burnham

b5 Per DOJ/OIP

para  
planned

(S)

b1  
b3  
b7E

b5 Per DOJ/OIP

McGahn: Has FBI interviewed him?

SH: yes, by FBI

DM: how'd he do?

SH: &lt;demurred&gt; can't comment

b3  
b7E

FBI(19cv1278)-734

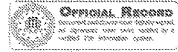
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b7E

FD-302 (Rev. 5-8-10)

- 1 of 10 -

## FEDERAL BUREAU OF INVESTIGATION



Date of entry 02/15/2019

Chris Christie was interviewed at the Special Counsel's Office, 395 E St SW, Washington, D.C., in the presence of his attorney, [REDACTED] from the law firm Lowenstein Sandler LLP. Participating in the interview were Special Agent (SA) [REDACTED] Senior Counselor to the Special Counsel James Quarles, and Senior Assistant Special Counsel Andrew Goldstein. Also present were Counselor to the Special Counsel Michael Dreeben and Assistant Special Counsel Elizabeth Prelogar. After acknowledging that it is a potential violation of Title 18 USC 1001 to lie to federal law enforcement in the course of an investigation and being advised of the identity of the interviewing agent and the nature of the interview, Christie provided the following information:

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Investigation on 02/13/2019 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 02/14/2019

by [REDACTED]

b6  
b7C  
b7E

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FBI(19cv1278)-833

(U) Interview of Chris Christie  
(2.13.2019)

Continuation of FD-302 of \_\_\_\_\_, On 02/13/2019, Page 2 of 10

b5 per DOJ/OIP

b5 per DOJ/OIP

February 14, 2017 White House lunch:

Christie \_\_\_\_\_ invited to lunch at the White House \_\_\_\_\_ b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-834

(U) Interview of Chris Christie  
(2.13.2019)

Continuation of FD-302 of \_\_\_\_\_, On 02/13/2019, Page 3 of 10

b5 per DOJ/OIP

As they watched the TV, Spicer said something about Flynn. Shortly after, Kushner's phone rang, and it was Flynn on the line. Christie could tell from observing Kushner's half of the conversation that it was not going well and Flynn did not like something Spicer said. Christie heard Kushner say something like, "You know the President respects you. The President cares about you. I'll get the President to send out a positive tweet about you later." Kushner looked at Trump when he said the last part, and Trump nodded his assent.

b5 per DOJ/OIP

\_\_\_\_\_ Trump said, "Now that we fired Flynn, the Russia thing is over," and Christie laughed. Christie told Trump, "No way. We'll be here on Valentine's Day 2018 talking about this." \_\_\_\_\_

\_\_\_\_\_ and Christie responded that he had been through both sides of investigations and there was no way to make it shorter, but there were a lot of ways to make it longer. Trump asked Christie what he meant, and Christie told him not to talk about the investigation and to keep his mouth shut even though it would be frustrating at times. \_\_\_\_\_

\_\_\_\_\_ Christie told Trump that if you get near a guy like Flynn, he's like gum on the bottom of your shoe, and you can't get rid of him. \_\_\_\_\_

At one point during the lunch, Donald said to me, "This Russia thing is all over now, because I fired Flynn."

I started to laugh.

"What are you laughing about?" he asked.

"Sir," I said, "this Russia thing is far from over."

"What do you mean?" he said. Flynn met with Russians. That was the problem. I fired Flynn. It's over."

FBI(19cv1278)-835

(U) Interview of Chris Christie

Continuation of FD-302 of (2.13.2019), On 02/13/2019, Page 4 of 10

b5 per DOJ/OIP

Christie thought when Trump said "the Russia thing," he referred to the Russia problem in general, not the investigations specifically.

Christie thought the more important thing was that there was an investigation, not that there was coverage of it.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Toward the end of the February 14, 2017 lunch, Trump asked Christie if he was still friendly with [then FBI Director James] Comey, and Christie said that he was. Trump told Christie to call Comey and tell him "I really like

FBI(19cv1278)-836

(U) Interview of Chris Christie

Continuation of FD-302 of (2.13.2019), On 02/13/2019, Page 5 of 10

him. Tell him he's part of the team. I really like him." At the end of the lunch, Trump repeated that Christie should talk to Comey.

Christie thought the request was "nonsensical" and that he was never going to do it. Christie just sat there when Trump made the request. He would not put Comey in the position of having to receive that telephone call.

b5 per DOJ/OIP

Christie said it would have been uncomfortable to pass on that message

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-837



(U) Interview of Chris Christie

Continuation of FD-302 of (2.13.2019), On 02/13/2019, Page 6 of 10

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Termination of FBI Director Jim Comey

b5 per DOJ/OIP

b5 per DOJ/OIP

[redacted] Trump called and said, "What should I do? I'm getting killed. I'm getting murdered." Christie asked, "Did you fire him because of what Rod wrote in the memo?" Trump said yes, so Christie told him to "get Rod out there" and have him defend it. [redacted]

FBI(19cv1278)-838

(U) Interview of Chris Christie

Continuation of FD-302 of (2.13.2019), On 02/13/2019, Page 7 of 10

b5 per DOJ/OIP

[redacted] Trump told Christie it was a "good idea" and he was going to call Rosenstein right then. [redacted]

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Special Counsel:

b5 per DOJ/OIP

Christie recalled a telephone call with Trump in which Trump asked Christie what he thought about Trump firing Mueller. Christie told him that there were two issues he saw. The first was that Mueller had given Trump no substantive reason to fire him. The second was that it would be political suicide and Trump would lose the Republicans in Congress if he did so. Christie advised him not to fire Mueller. [redacted]

b5 per DOJ/OIP

[redacted] Christie did not recall the precise timing of the

(U) Interview of Chris Christie

Continuation of FD-302 of (2.13.2019), On 02/13/2019, Page 8 of 10

telephone call, but thought it was in the summer of 2017, probably after  
Chris Wray had been nominated to be the next FBI Director.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-840

(U) Interview of Chris Christie  
(2.13.2019)

Continuation of FD-302 of \_\_\_\_\_, On 02/13/2019, Page 9 of 10

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP  
b7A |  
b7B per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-841

FD-302a (Rev. 05-08-10)

b6  
b7c

(U) Interview of Chris Christie

Continuation of FD-302 of {2.13.2019}, On 02/13/2019, Page 10 of 10

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-842

(1)

2/13/2019

ULQ

[REDACTED]

MRD

ADG

Chris Christie

EBP

[REDACTED]

b6  
b7C

1001 admonishment

ULQ:

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

FBI(19cv1278)-843

(2)

b5 per DOJ/OIP

2/14/17 lunch.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-844

(4)

Spicer mention Flynn. Jared's phone rang. Told POTUS it was Flynn. Could tell from VR that it was not going well. Flynn did not like what Spicer said.

You know POTUS respects you. POTUS cares about you. I'll get the Pres. to send out a positive tweet about you later.

POTUS nodded

Drafting.  
call  
reduced  
Flynn's  
conv

Now that we fired Flynn, the Russia thing is over.

CNN'sti laughed. no way. will be here Valentines 18

[Redacted]

cc - I've done this. I've been inv.

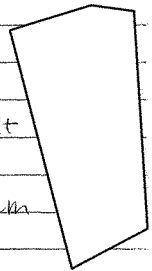
b5 per DOJ/OIP

There's no way you can make this shorter, lots of ways to make it longer.

P. What do you mean?

cc: Don't talk. Keep your mouth shut. It will be frustrating.

cc. you get near a guy like this, like gum on bottom of your shoe.



[Redacted]

b5 per DOJ/OIP

[Redacted]

[Redacted]

FBI(19cv1278)-846



(5)

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

Russia thing? The Russia problem. The issue.  
Not the inv. specifically.

b5 per DOJ/OIP

[REDACTED]

FBI(19cv1278)-847

(6)

b5 per DOJ/OIP

Christie, important thing is LOR, not coverage  
 & tell him: investigation

b5 per DOJ/OIP

gun off your shoe - after JK, MTF call.

b5 per DOJ/OIP

b5 per DOJ/OIP

Comey / lunch:

near end of lunch. Are you still friendly  
 w/ Comey? yes

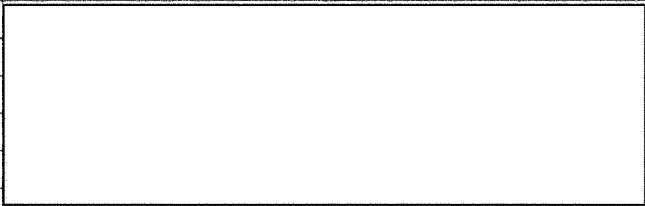
Call him and tell him I really like him.  
 Tell him he's part of the team. I really like him.

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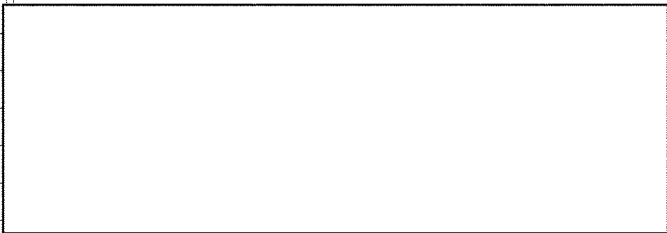
(7)

Said it again - talk to Comey, okay  
at end.

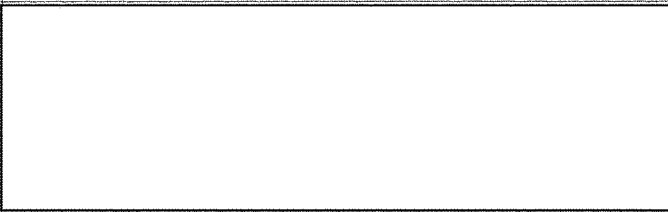
Nonsensical request. was never going to do  
it. Just sat there wouldn't put Jim in  
that position to receive that call.




b5 per DOJ/OIP



b5 per DOJ/OIP



b5 per DOJ/OIP



FBI(19cv1278)-849

(10)

b5 per DOJ/OIP

b5 per DOJ/OIP

Phone rang.

it's the Prez

What should I do? I'm getting killed, I'm  
getting murdered "

C - Did you fix him bc what Rod wrote  
in memo?

P - Yes

C - then <sup>get Rod out there</sup> have Rod defend it

b5 per DOJ/OIP

P - good idea. I'm going to call Rod

now

b5 per DOJ/OIP

FBI(19cv1278)-852

(1)

b5 per DOJ/OIP

b5 per DOJ/OIP

May 17, 17. Special Counsel.

b5 per DOJ/OIP

b5 per DOJ/OIP

Run him

asking. what do you think about me  
firing Mueller.

- ① No substantive reason. to fire him.
- ② Political suicide. Lose Rs in Congress.

b5 per DOJ/OIP

Do not do that.

when? Summer of 2017  
probable  
after Chris may as director

(15)

b5 per DOJ/OIP

Timing on phone convs.

After way named, yes.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

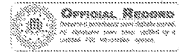
FBI(19cv1278)-857

b7E

FD-302 (Rev. 5-8-10)

- 1 of 8 -

## FEDERAL BUREAU OF INVESTIGATION



Date of entry 05/17/2018

COREY LEWANDOWSKI was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, DC, in the presence of his attorney, [REDACTED]

b6  
b7C

[REDACTED] Present for the interview were Special Agent (SA) [REDACTED] SA [REDACTED] Intelligence Analyst [REDACTED] Senior Assistant Special Counsel (SASC) Andrew Goldstein, Senior Counselor to the Special Counsel James L. Quarles, Counselor to the Special Counsel Michael Dreeben, and Assistant Special Counsel Elizabeth Prelogar. After being advised of the identity of the interviewing agents and the nature of the interview, Lewandowski provided the following information:

[REDACTED]

b6  
b7C  
b7E

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

Investigation on 04/06/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 04/08/2018

b6  
b7C  
b7E

by [REDACTED]

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FBI(19cv1278)-864

Continuation of FD-302 of (U) Interview of Corey Lewandowski , On 04/06/2018 , Page 2 of 8

b5 per DOJ/OIP

b5 per DOJ/OIP

**Meeting with President Trump regarding Attorney General Jeff Sessions:**

In mid-June 2017, Lewandowski had a meeting alone with the President in the Oval Office. b5 per DOJ/OIP

Jeff Sessions. The President expressed criticism of Sessions' recusal from the Russia investigation and said if he had known in advance Sessions would recuse, he would not have selected him as Attorney General. The President said Sessions was weak

and the President asked him if he would deliver a message to Sessions. Lewandowski said he would, and the President said, "write this down" and began to dictate a message he said he wanted Sessions to deliver in a public speech. The President thought if Sessions made the remarks he provided, Sessions would get back on track in the eyes of the public and would be viewed favorably.

Lewandowski wrote down what the President dictated on notecards he carried in his pocket. [Agent note: Lewandowski provided the interviewing agents the original copy of the notes he took during the meeting with the President. The notes will be maintained in the 1A section of the case file.] Lewandowski confirmed his notes stated as follows: "I know that I recused myself from certain things having to do with specific areas. But our POTUS

b5 per DOJ/OIP

is being treated very unfairly. He shouldn't have



Continuation of FD-302 of (U) Interview of Corey Lewandowski, On 04/06/2018, Page 3 of 8

a Special Prosecutor/Counsel because he hasn't done anything wrong. I was on the campaign with him for nine months, there were no Russians involved with him. I know it for a fact because I was there. He didn't do anything wrong except he ran the greatest campaign in American history. [REDACTED] b5 per DOJ/OIP

[REDACTED]  
[REDACTED] Now a group of people want to subvert the Constitution of the United States. I am going to meet with the Special Prosecutor to explain this is very unfair to let the Special Prosecutor move forward with investigating election meddling for future elections so that nothing can happen in future elections. [REDACTED]

b5 per DOJ/OIP

The President did not provide additional instructions to Lewandowski other than to say he wanted Lewandowski to deliver the message to Sessions, and for Sessions to make the statement publicly. Lewandowski said he understood. [REDACTED] b5 per DOJ/OIP

[REDACTED] He wrote as fast as possible to make sure he got the content correct. [REDACTED]  
[REDACTED]

**Lewandowski's efforts to pass the message to Attorney General Sessions:**

[REDACTED] b5 per DOJ/OIP  
Lewandowski contacted Sessions' office to schedule a meeting with him.

[REDACTED]  
Lewandowski thought the message to Sessions should be delivered in person, not over the phone. [REDACTED]

b6  
b7C

Continuation of FD-302 of (U) Interview of Corey Lewandowski , On 04/06/2018 , Page 4 of 8

[REDACTED] b5 per DOJ/OIP

[REDACTED] He did not want to meet at the Department of Justice because he did not want Sessions to have an advantage over him, since that was Sessions' turf. [REDACTED]

[REDACTED] He did not want there to be a public log of his visit. [REDACTED]

[REDACTED] they decided to meet at Lewandowski's office [REDACTED]

[REDACTED] They set a meeting for the following evening, but before the meeting the next day,

Lewandowski received word Sessions had a conflict and had to cancel their meeting. They did not re-schedule the meeting, and Lewandowski left

Washington, DC [REDACTED]

Lewandowski maintained the notes in a safe at his home, which was his standard operating procedure with documents and sensitive items, [REDACTED]

[REDACTED] b5 per DOJ/OIP

Sometime in the first week of July, Lewandowski called [then White House Deputy Chief of Staff] Rick Dearborn to ask if he would be meeting with Sessions in the near future and if so, if he could pass a message. Dearborn had a longstanding relationship with Sessions, so Lewandowski thought he would be an appropriate person to deliver the message in his place. Dearborn agreed and Lewandowski said he would pass the message intended for Sessions in person.

[REDACTED] b5 per DOJ/OIP

[REDACTED]

[REDACTED] Lewandowski knew the White House was busy dealing with the messaging regarding a meeting that had happened during the campaign. [REDACTED]

[REDACTED]

[REDACTED] b5 per DOJ/OIP

[REDACTED]

[REDACTED] so he reached out to Dearborn again to see when he

Continuation of FD-302 of (U) Interview of Corey Lewandowski, On 04/06/2018, Page 5 of 8

would be meeting with Sessions. Dearborn told him they had a dinner scheduled that week and Lewandowski renewed the request for him to pass a message. Lewandowski contacted Dearborn [REDACTED] b5 per DOJ/OIP [REDACTED] in mid-July 2017 and learned Dearborn was scheduled to have dinner with Sessions the following night.

On July 19, 2017, Lewandowski and the President met alone in the Oval Office. [REDACTED] b5 per DOJ/OIP [REDACTED]

In the meeting, the President asked him if he had talked to Sessions, and Lewandowski said the message would be delivered soon.

At the conclusion of his meeting with the President, Lewandowski left the Oval Office and went to the anteroom just outside, where he saw Dearborn. Lewandowski handed Dearborn the typed copy of his notes and said something to the effect of, "this is the message we talked about."

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Corey Lewandowski , On 04/06/2018 , Page 6 of 8

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Lewandowski met with Hicks at around 6:30 pm that day.

While Lewandowski and Hicks were together, the President called Hicks to talk about the interview and expressed that he was happy with how it was playing out.

Lewandowski told Hicks about the President's request and joked about the idea of firing Sessions as a private citizen. He thought he told Hicks that the President had said if Sessions did not meet with Lewandowski, to tell Sessions he was fired.

b5 per DOJ/OIP

Continuation of FD-302 of (U) Interview of Corey Lewandowski . On 04/06/2018 . Page 7 of 8

**Discussions about Recess Appointments**

The same day as the New York Times interview, Lewandowski conducted research on recess appointments on his own. [REDACTED] b5 per DOJ/OIP

[REDACTED]

[REDACTED] Lewandowski did not share the results of his research with the President.

[REDACTED] b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

b6  
b7C

[REDACTED]

b5 per DOJ/OIP

b6  
b7C

Continuation of FD-302 of (U) Interview of Corey Lewandowski, On 04/06/2018, Page 8 of 8

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP  
b6  
b7C  
b7E

b5 per DOJ/OIP

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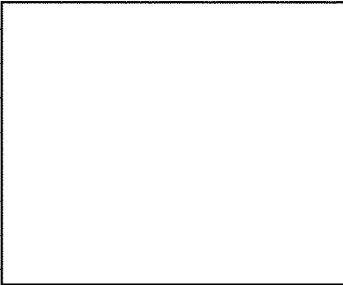
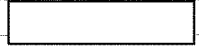


*Cornel Lewandowski*

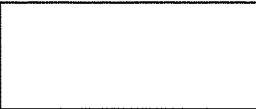
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*Cell Phone*

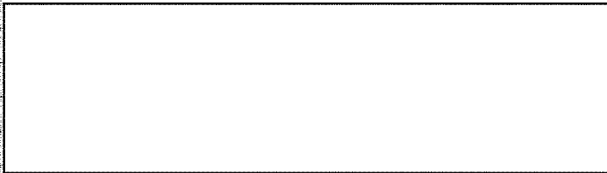
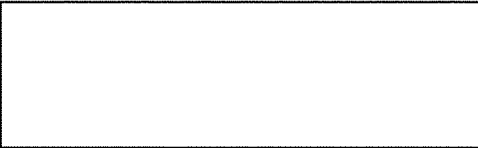
b6  
b7C  
b7E



b5 per DOJ/OIP



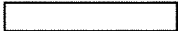
b5 per DOJ/OIP



b5 per DOJ/OIP



FBI(19cv1278)-872



(2)

b5 per DOJ/OIP

Notes - mid June 2017 - Moore also there -

- Dini Office - Just two [redacted]

b5 per DOJ/OIP

- Leave about 5:5. lack of moral

- Reg critical - wanted to have known when

- Reg asked to deliver message

- write this down

- Dictated to him from Reg.

b5 per DOJ/OIP

- You know Jeff Sessions?

- Never would've appeared weak

- how you go talk to him?

- He wanted to have JS make a speech

- Dictated exactly what to say.

- wanted to put the book on track / favorable in profile.

b5 per DOJ/OIP

FBI(19cv1278)-873



b5 per DOJ/OIP

- Post-poned the meeting
- Never met or deliver the message
- Didn't want DOJ aware

b5 per DOJ/OIP

- Also Postponed - We'll set up another time
- Rick Granbrun - Reached out
  - See if meeting w/ any time in near future

b5 per DOJ/OIP

- Spoke to R.D. to have him deliver message
  - R.D. has long standing relation ship.
  - In-person message - Worked in person meeting
    - Didn't think could have that relayed → coming from President
- over the phone

b5 per DOJ/OIP

- Secs President again - R.D. there also <sup>and JS.</sup>
- When next time [have dinner w/ S.S. not day]
  - Following evening w/ Att -
  - Wanted to make sure have copy of message
  - Message being delivered when asked

7/10/12 - meeting by oval office

b5 per DOJ/OIP

- R.D. antisocial outside of oval - have copy of notes.
- R.D. Answer of message to deliver to President

FBI(19cv1278)-875

b5 per DOJ/OIP

*President ask?**7/10/12  
mid  
July**- Said message was going to be delivered soon.*

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

*Why not just phone? He could've*

b5 per DOJ/OIP

- Didn't want to deliver on phone or @ OOS.
- Wanted to deliver in person
- Didn't want S.C. to have an advantage of OOS office.

*~*

FBI(19cv1278)-876

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

*Left oval - wanted to deliver as soon as possible*

*- Didn't know when follow-up would happen*

*Reached out, was unable*

*- Didn't stay in town -*

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

FBI(19cv1278)-877

*My love also been on*

*of meeting*

b5 per DOJ/OIP

[Redacted]

*Reached out to R.D.*

b5 per DOJ/OIP

[Redacted]

[Redacted]

*7/19 Oval Office*

[Redacted]

*- RD much wiser prior - have notes*

[Redacted]

[Redacted]

*- Meeting dinner w/ associates next day*

b5 per DOJ/OIP

[Redacted]

*- R.D. knew <sup>54</sup> for a long time.*

[Redacted]

b5 per DOJ/OIP

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

b5 per DOJ/OIP

Drafted - No thought process on content

- Said take this down

- Took out note cards wrote as best as possible

b5 per DOJ/OIP

- Shortly after drafted J.S.

Street name

- Meeting on following day, planned on reviewing/reading notes  
didn't get to that point however postponed

- Notes in safe at home - S.O.P.

b5 per DOJ/OIP

- [ ] typed up - didn't get one word, said that's alright

- R.D. - Folded up document said this is the message to give.

b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

*Notes*

[Redacted]

b5 per DOJ/OIP

*Recess Appointment*

[Redacted]

b5 per DOJ/OIP

[Redacted]

[Redacted]

*- Answer shared w/ Pres.*

*- Recess appointment research conducted after Thers  
mobile/interview*

[Redacted]

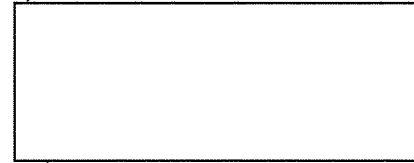
b5 per DOJ/OIP



①  
Corey R. Lewandowski

I know that I  
refused myself from  
certain things having to  
do w/ specific Areas.  
But our POTUS [redacted]

b5 per DOJ/OIP



[redacted] is being treated  
very unfairly. HE  
shouldn't have a special  
Prosecutor / Counsel -  
b/c he hasn't done anything  
wrong.



I WAS on the campaign  
within 4 months,  
there were no Russians  
involved with him.

I knew it for a fact  
b/c I was there. He  
didn't do anything wrong  
except he ran the  
Grand Campaign in  
American History.

b5 per DOJ/OIP



Corey R. Lewandowski

③

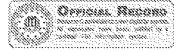
New A group of people  
want to submit the  
Constitution of the U.S.  
I am going to meet w/  
the SPECIAC Prosecutor  
to explain this is very  
unfair + let the  
SPECIAC Prosecutor move  
forward w/ investigating  
election meddling for  
future elections so that  
nothing can happen in  
future elections.

FD-302 (Rev. 5-8-10)

- 1 of 23 -

b7E

## FEDERAL BUREAU OF INVESTIGATION



## FBI INFO

CLASSIFIED BY: NSICG [redacted]

REASON: 1.4 (C)

DECLASSIFY ON: 12-31-2043

DATE: 11-14-2019

~~SECRET~~

Date of entry 03/29/2018

b6

b7C

HOPE CHARLOTTE HICKS was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, DC. Hicks was accompanied by her attorneys [redacted] Present for the interview were Supervisory Special Agent (SSA) [redacted] Special Agent (SA) [redacted] James L. Quarles, Senior Counselor to the Special Counsel, Jeannie S. Rhee, Senior Assistant Special Counsel, and Andrew Goldstein, Senior Assistant Special Counsel. Hicks was advised it is a crime to lie to the FBI in the course of an investigation, which she acknowledged. After being advised of the identity of the interviewing Agent and the nature of the interview, Hicks provided the following information:

b6

b7C

[redacted]

b5 per DOJ/OIP

[redacted]

b5 per DOJ/OIP

[redacted]

[redacted]

[redacted]

b5 per DOJ/OIP

b6

b7C

Investigation on 12/08/2017 at Washington, District Of Columbia, United States (In Person)

File # [redacted]

Date drafted 02/22/2018

by [redacted]

b6

b7C

b7E

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FBI(19cv1278)-891

b7E

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Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 2 of 23

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

FBI(19cv1278)-892

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~~SECRET~~Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 3 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

[redacted] It was about 3:00 am  
[redacted] She received a call from a telephone  
number with a 202 area code, and a foreign person was on the other end of  
the line. Hicks had a hard time understanding the person but she could  
make out the words "Putin call." [redacted]

[redacted]  
[redacted] She asked the caller to send her an email, which he  
did. Once she received it, she forwarded it to Kushner. [redacted]

b5 per DOJ/OIP

[redacted]  
[redacted] The Russians sent a  
letter, which she gave to transition officials. She had some back and

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FBI(19cv1278)-893

~~SECRET~~

b7E

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) , On 12/08/2017 , Page 4 of 23

b5 per DOJ/OIP

forth exchanges with Sergey Kuznetsov, [REDACTED]  
 [REDACTED] She remembered their first call and that they exchanged emails,  
 [REDACTED]

Hicks reviewed an email (labelled "Exhibit 40") and confirmed she received it after the phone call. She was not sure if the situation was legitimate, which is why she sent it to Kushner to verify. [REDACTED]

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

[REDACTED] quoted Hicks as saying the campaign had "no contact with Russian officials." She had received press inquiries about it, because someone had said the campaign was in constant contact with the Russian government. Nothing Hicks had seen led her to believe that was true. She acknowledged her answer to the newspaper was overbroad, but she checked in with a few people after the fact to validate it. She recalled she talked to Kellyanne Conway and Stephen Miller. [REDACTED]

b5 per DOJ/OIP

[REDACTED] She asked Jason Miller and probably asked Kushner. She thought she reached out to Conway and Bannon. [REDACTED]

[REDACTED] Hicks told that group she was planning to respond to the press and there was no hesitation or pushback from any of them. [REDACTED]

b5 per DOJ/OIP

FBI(19cv1278)-894

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FD-302a (Rev. 05-08-10)

b7E

~~SECRET~~Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 5 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b7E

b5 per DOJ/OIP

FBI(19cv1278)-895

~~SECRET~~

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) , On 12/08/2017 , Page 6 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C  
b7E

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-896

~~SECRET~~



~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 7 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

Trump told Hicks Obama told him to watch out for Flynn.  
Hicks thought the comment sat with Trump more than she expected.

b5 per DOJ/OIP

Flynn's and his son's tweets

Trump thought Flynn had  
bad judgment. Hicks thought the tweets bothered Trump

It bothered b5 per DOJ/OIP

Trump that both Flynn and his son sent bad tweets.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-897

b7E

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 8 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

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~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 9 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

(S)

b1  
b3

(S)

b5 per DOJ/OIP

b1  
b3

(S)

FBI(19cv1278)-899

~~SECRET~~

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) , On 12/08/2017 , Page 10 of 23

[REDACTED] b5 per DOJ/OIP

[REDACTED] b1  
b3

[REDACTED] b3

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b1  
b3

[REDACTED] Flynn was "sort of on  
thin ice already" at that point. [REDACTED]

[REDACTED] b1  
b3 b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

[REDACTED] b1  
b3

[REDACTED] b3

~~SECRET~~

~~SECRET~~

b7E

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 11 of 23

(S) [Redacted] b5 per DOJ/OIP  
b1  
b3  
(S) [Redacted] (S)

[Redacted] b5 per DOJ/OIP

[Redacted] b5 per DOJ/OIP

[Redacted] b5 per DOJ/OIP

[Redacted] b5 per DOJ/OIP  
b6  
b7C

(S) [Redacted] b5 per DOJ/OIP  
(S) b1  
b3

[Redacted] b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-901

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 12 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Trump said he never held Comey back or kept him in his office. Hicks thought Trump meant that he had not asked Comey to stay,

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-902

~~SECRET~~Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 13 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

Trump "scolded" Sessions in her presence but she was not sure exactly what they said or when exactly it happened.

Trump was very angry.

b5 per DOJ/OIP

b5 per DOJ/OIP

In the interview, Trump responded to a question about whether it was too late to fire Comey by saying it was not too late, he had confidence in Comey, and "we'll see what happens."

b5 per DOJ/OIP

Hicks suggested they also edit out the answer about Comey, but Trump wanted to keep it in, which she thought was unusual.

FBI(19cv1278)-903

~~SECRET~~

b7E

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) . On 12/08/2017 . Page 14 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b1  
b3

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-904



~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 15 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-905

~~SECRET~~

b7E

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) . On 12/08/2017 . Page 16 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-906

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) , On 12/08/2017 , Page 17 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-907

~~SECRET~~

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) , On 12/08/2017 , Page 18 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

After the news of Comey's termination broke, [REDACTED] b5 per DOJ/OIP

[REDACTED] He asked  
Hicks to get someone out there to defend him. [REDACTED]  
[REDACTED] Trump was frustrated with the coverage.

b5 per DOJ/OIP

[REDACTED] Trump wanted Spicer, Conway, and Hicks all to get on  
television and defend him. [REDACTED]

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-908

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) , On 12/08/2017 , Page 19 of 23

[redacted] Trump's meeting with [Russian Foreign Minister Sergey] Lavrov and Kislyak on May 10, 2017. [redacted] b5 per DOJ/OIP

[redacted]

[redacted] b5 per DOJ/OIP

[redacted] b5 per DOJ/OIP

[redacted] The day prior (May 18, 2018), b5 per DOJ/OIP  
Trump and Hicks had an off the record lunch with news anchors to discuss his foreign trip and had said similar things about Comey to that group. He said Comey was a "nut job" and was "crazy." [redacted]

[redacted]

[redacted] b5 per DOJ/OIP

[redacted] Trump [redacted]  
did not seem concerned, and said, "he is crazy."

[redacted] b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-909

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 20 of 23

[REDACTED] b5 per DOJ/OIP  
[REDACTED] He never said he did not say the things the media said he  
did.

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

FBI(19cv1278)-910

~~SECRET~~

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) , On 12/08/2017 , Page 21 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

When the Special Counsel was appointed on May 17, 2017, Trump was angry, surprised, and frustrated. [REDACTED]

[REDACTED] she saw shortly afterward that Sessions [REDACTED] in his office. [REDACTED]

b5 per DOJ/OIP

[REDACTED] The only other time she had seen Trump like that was when the Access Hollywood tape came out during the campaign. [REDACTED]

b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-911

~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2) . On 12/08/2017 . Page 22 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

A day later, on the flight from Saudi Arabia to Tel Aviv, Israel, Trump took out Sessions' resignation letter and asked a group of people what he should do.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-912

~~SECRET~~



~~SECRET~~

Continuation of FD-302 of (U) Interview of Hope Hicks (Day 2), On 12/08/2017, Page 23 of 23

b5 per DOJ/OIP

b5 per DOJ/OIP

in that interview, she was "throwing herself  
between the reporters and Trump to try to table some of it." Trump loved  
the interview

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~

FBI(19cv1278)-913

hope ticks

FBI INFO  
 CLASSIFIED BY: NSICG  
 REASON: 1.4 (C)  
 DECLASSIFY ON: 12-31-2042  
 DATE: 11-14-2019

~~SECRET~~b6  
b7C

(1)

Andrew  
JLQ

12/8/2017

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

FBI(19cv1278)-914

~~SECRET~~

~~SECRET~~

(4)

b5 per DOJ/OIP

b5 per DOJ/OIP

Election day. Russian reach out After govt.  
 3am, [redacted] Phone rang.  
 800 #. Picked up and person on end was  
 foreign, hard to understand could make out  
 "Putri call" [redacted]

[redacted] . Asked  
 caller to send her an email. GOT. Email forwarded  
 to JK [redacted]

Asked JK who it was. Russian ambo?

~~SECRET~~

~~SECRET~~

(5)

11/9/13 next day.

b5 per DOJ/OIP

b5 per DOJ/OIP

sent letter initially. HH gave to transition officials.  
 had some back/forth w/ Sergey Kuznetsov.  
 # calls w/ Kuznetsov? don't know other than 1st one.  
 remember emails.

b5 per DOJ/OIP

#(40)

b5 per DOJ/OIP

did you think was legit? had no idea sent  
 it to Jared, so he could verify.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-918

~~SECRET~~

~~SECRET~~

(6)

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

post-election quote [redacted] "no contact  
w/ Russian officials" Getting press inquiries.  
someone (Russian) said they were in constant  
contact w/ Russian abvt Press asked  
about it [redacted]

did a touch base w/ couple people: KAC, SM

~~SECRET~~

FBI(19cv1278)-919

~~SECRET~~

(7)

b5 per DOJ/OIP

called Jason Miller. Jared was with us. Prob asked him.  
Prob reached out to RB, KAC.

told them planned to respond to press? yes.  
no hesitation or pushback from them

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

78)-920

~~SECRET~~

12

*Word Break*

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

FBI(19cv1278)-925

~~SECRET~~

~~SECRET~~

17

b5 per DOJ/OIP

b5 per DOJ/OIP

b1  
b3

b5 per DOJ/OIP

MF was sent

of on this is already not

FBI(19cv1278)-930

~~SECRET~~



~~SECRET~~

18

b5 per DOJ/OIP

b5 per DOJ/OIP

Plummer told  
DJT

mentioned to watch out for gen. Flynn  
HH surprised. Seemed to be sitting w/  
DJT more than HH expected.

b5 per DOJ/OIP

Plummer's tweets - really bothered DJT  
they both tweets  
bad things. Son thing bothered him -

b5 per DOJ/OIP

MF + son's tweets

b5 per DOJ/OIP

DJT thought had judgment on MF  
bothered DJT

~~SECRET~~

FBI(19CV1276)-931

~~SECRET~~

23

b5 per DOJ/OIP

[REDACTED]

DJT doesn't think Convey pulled him aside or held him back

b5 per DOJ/OIP

[REDACTED]

DJT sd he never held anybody bk or kept in office. Thinks DJT meant it wasn't like DJT asked him to stay

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-936

~~SECRET~~

~~SECRET~~

24

b5 per DOJ/OIP

b5 per DOJ/OIP

3 AG's recusal - DJT not happy

b5 per DOJ/OIP

b5 per DOJ/OIP

Pres scolded AG when Hit there but not sure what was sd.

b5 per DOJ/OIP

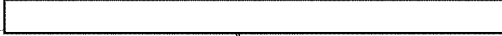
Pres very angry

~~SECRET~~ FBI(19cv1278)-937

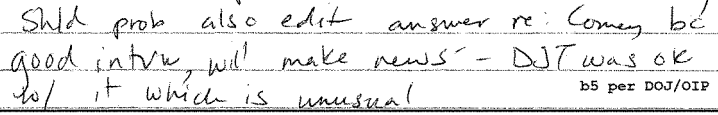
~~SECRET~~

26

b5 per DOJ/OIP

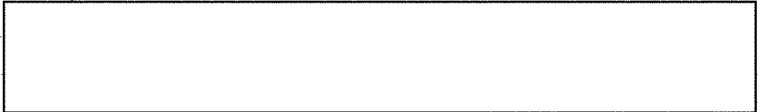


HH sd they

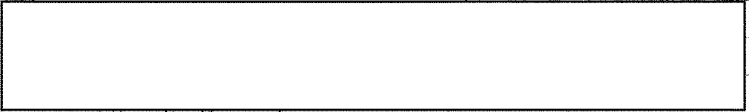
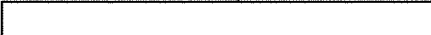


Shld prob also edit answer re: Comey bc  
good intrv, will make news - DJT was OK  
w/ it which is unusual

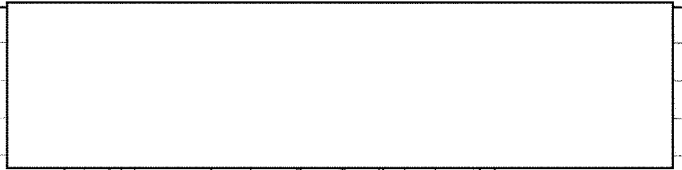
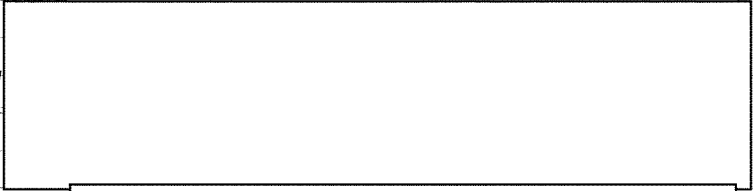
b5 per DOJ/OIP



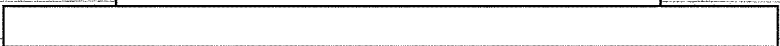
b5 per DOJ/OIP



b5 per DOJ/OIP



b5 per DOJ/OIP



FBI(19cv1278)-939

~~SECRET~~

~~SECRET~~

33

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

[redacted], asked Art to get someone to defend

~~SECRET~~

frustrated

pres  
w/ coverage  
FBI(19cv1278)-946

~~SECRET~~

34

b5 per DOJ/OIP

[REDACTED]

told them to find someone to put on TV.  
DIT wanted SS, KC, HH all to go on TV.

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

Day after Conroy firing - meet w/ Lawrov / Kishyak

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

~~SECRET~~

FBI(19cv1278)-947

~~SECRET~~

35

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

(30)

S/B  
Thurs

(they I had  
lunch day b4 - off-record lunch w/  
news anchors on foreign trip. DJT sd  
similar things in lunch)

b5 per DOJ/OIP

- Comedy specific - "out job" - pres. told reporter  
he was crazy.

~~SECRET~~

FBI(19cv1278)-948

~~SECRET~~

36

b5 per DOJ/OIP

[REDACTED]

- told DJT

this is what is says you said in notes  
DJT looked for a minute, didnt seem concerned  
sd "he is crazy"

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

never sd he didnt say those things

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

[REDACTED]

[REDACTED]

~~SECRET~~

FBI(19cv1278)-949



~~SECRET~~

39

b5 per DOJ/OIP

5/17 Special Counsel - DJT reaction: "Anger, surprise, frustration."

one saw shortly after b5 per DOJ/OIP

JS

in office.

b5 per DOJ/OIP

only other time was like when tape came out during camp -

b5 per DOJ/OIP

FBI(19cv1278)-952

~~SECRET~~

~~SECRET~~

40

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Sandi Anderson →  
Tel Aviv

Days later on tip DIT took out resign. letter  
from JS + asked what he should do

~~SECRET~~

FBI(19cv1278)-953

~~SECRET~~

42

HH throwing herself b/w reporters + DJT  
to try + take some of it  
DJT loved the intro, [redacted]

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11-14-2019 BY [redacted] NSICG

b6  
b7C

12/8/17 H.H.

[redacted] b5 per DOJ/OIP

[redacted] b5 per DOJ/OIP

Russian congrats

- 4<sup>th</sup> call from 202 # (maybe) - foreign - personal cell

[redacted] b5 per DOJ/OIP

11/9 -

sent letter first

Kutznatsov was the one arranging call

[redacted] b5 per DOJ/OIP

[redacted] b5 per DOJ/OIP

FBI(19cv1278)-956

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HEREIN IS UNCLASSIFIED  
DATE 11-14-2019 BY [REDACTED] NSICG

UNCLASSIFIED

Physical 1A/1C Cover Sheet for Serial Export

b6  
b7C

**Created From:**

[REDACTED]

b7E

**Package:**

**Stored Location:**

None

**Summary:**

(U) Notes; documents  
shown to Hicks

b6  
b7C

**Acquired By:**

[REDACTED]

**Acquired On:**

2017-12-08

**Attachment:**

(U) Documents shown to  
Hicks

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11-14-2019 BY [redacted] NSICG

b6  
b7C

FD-340 (Rev. 4-11-03)

File Number [redacted]

Field Office Acquiring Evidence [redacted]

Serial # of Originating Document [redacted]

Date Received 12/8/2017

From Hope Hicks

(Name of Contributor/Interviewee)

(Address)

(City and State)

By SA [redacted]

To Be Returned ☐ Yes

☒ No

Receipt Given ☐ Yes

☒ No

Grand Jury Material - Disseminate Only Pursuant to Rule 6(e)

Federal Rules of Criminal Procedure

☐ Yes

☒ No

Federal Taxpayer Information (FTI)

☐ Yes

☒ No

Title: [redacted]

Reference: Interview of Hope Hicks

(Communication Enclosing Material)

Description: ☒ Original notes re interview of

Hope Hicks ; documents

b7E

b6  
b7C

b7E

FBI(19cv1278)-959

b7E

ALL FBI INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11-14-2019 BY [REDACTED] NSICG

b6  
b7C

Document ID: 0.74249.39316  
From: sergey kuznetsov [REDACTED]  
To: hope hicks [REDACTED]  
Cc:  
Bcc:  
Subject: Extremely urgent message from president Putin  
Date: Wed Nov 09 2016 04:06:00 EST  
Attachments:

b6  
b7C

From : Sergey Kuznetsov [REDACTED]  
Sent : 11/09/2016 4:06:55 AM  
To : Hope Hicks [REDACTED]  
Subject : Extremely urgent message from president Putin

Dear Hope,  
I have a very important message from President Putin congratulating Mr. Donald Trump on his election.  
Please let me know how to best convey it.  
Thank you.

Best regards,  
Sergey Kuznetsov  
Congressional liaison  
Embassy of Russia to the USA  
202-298-6700.

b5 per DOJ/OIP  
b6  
b7C

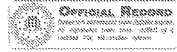
b5 per DOJ/OIP

b5 per DOJ/OIP  
b6  
b7C

Page 1 of 10

FBI(19cv1278)-964

b7E

~~SECRET//NOFORN~~

**FEDERAL BUREAU OF INVESTIGATION**  
**Collected Item Log**

Event Title: (U//~~FOUO~~) Evidence Collected, June 7, 2017 Date: 06/09/2017

DECLASSIFIED BY: NSICG [redacted]  
 ON: 06-18-2019

Approved By: [redacted]

Drafted By: [redacted]

Case ID #: [redacted] (U//~~FOUO~~) [redacted]  
 [redacted]

b3 1  
 b6 1  
 b7C 1  
 b7E 1,2

~~Reason: 1.4 (b)  
 Derived From: FBI NSISC-  
 20090615  
 Declassify On: 20421231~~

(U)

Collected From: James Comey  
 [redacted]

b6 2  
 b7C 2

Receipt Given?: Yes

Holding Office: WASHINGTON FIELD

**Details:**

(U//~~FOUO~~) On June 7, 2017, at approximately 10:15 a.m., Federal Bureau of Investigation (FBI) Special Agents (SA) [redacted] and [redacted] collected four memorandums (memos) as evidence from James Comey at his residence at [redacted]. The memos collected are described as follows:

b6 1,2  
 b7C 1,2

- One memo dated February 14, 2017, two pages;
- One memo dated March 30, 2017, two pages;
- One memo dated April 11, 2017, one page;
- One memo "last night at 6:30 pm," four pages.

~~SECRET//NOFORN~~

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FBI 18-CV-00932-1



~~SECRET//NOFORN~~b3 1  
b7E 1Title: (U//~~FOUO~~) Evidence Collected, June 7, 2017Re:  06/09/2017

Item Type	Description
1B General	<p>(U//<del>FOUO</del>) Four memorandums (memos) described as follows: One memo dated February 14, 2017, two pages; One memo dated March 30, 2017, two pages; One memo dated April 11, 2017, one page; One memo "last night at 6:30 pm," four pages.</p> <p>Collected On: 06/07/2017 10:15 AM EDT</p> <p>Seizing Individual: <div data-bbox="510 550 780 576" style="border: 1px solid black; display: inline-block; width: 241px; height: 15px;"></div></p> <p>Collected By: <div data-bbox="452 576 676 601" style="border: 1px solid black; display: inline-block; width: 200px; height: 14px;"></div></p> <p>Location Area: Residence</p> <p>Specific Location: <div data-bbox="508 619 812 647" style="border: 1px solid black; display: inline-block; width: 271px; height: 16px;"></div></p>

b6 1,2  
b7C 1,2

♦♦

~~SECRET//NOFORN~~

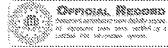
DECLASSIFIED BY: NSICG [redacted]  
ON: 06-13-2019

FD-302 (Rev. 5-8-10)

- 1 of 2 -

~~SECRET//NOFORN~~

FEDERAL BUREAU OF INVESTIGATION



b6 1  
b7C 1  
b7E 1

Date of entry 06/16/2017

Former FBI Director James Comey was interviewed at his residence at [redacted] [redacted] This interview was scheduled in advance, for the purpose of providing certain classified memoranda (memos) to Comey for review. After being advised of the identity of the interviewing Agents and the nature of the interview, Comey provided the following information:

b6 2  
b7C 2

After reviewing the memos, Comey spontaneously stated, to the best of his recollection, two were missing.

In the first occurrence, Comey said at an unknown date and time, between January 7, 2017, which Comey believed was the date of his briefing at Trump Tower, and Trump's inauguration on January 20th, 2017, Comey received a phone call from President Elect Donald J. Trump. The originating telephone number may have had a New York area code. Following the telephone conversation, Comey drafted and e-mailed a memo to James Rybicki and FBI Deputy Director Andrew McCabe.

In the second instance, Comey was on his way to a FBI leadership conference in Leesburg, Virginia (March 9, 2017) when he was diverted to Liberty Crossing to respond to a request from Trump to contact him. Comey contacted Trump from Liberty Crossing on a Top Secret telephone line. The conversation was "all business" and related to [redacted] [redacted] Comey is less sure he drafted a memo for this conversation but if he did, he may have sent it on the FBI's Top Secret network. b5 per DOJ-OIP

Comey observed that the second page of the memo dated March 30, 2017, had the incorrect banner line classification of SECRET//NOFORN rather than UNCLASSIFIED//FOUO at the top and bottom of the second page.

~~Reason: 1.4(b)~~

~~Derived from: FBI NSISC-20090615~~

~~Declassify On: 20421231~~

~~SECRET//NOFORN~~

Investigation on 06/07/2017 at [redacted] United States (In Person) b3 1  
File # [redacted] Date drafted 06/07/2017 b6 1,2  
by [redacted] b7C 1,2  
b7E 1

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FBI 18-CV-00932-3

~~SECRET//NOFORN~~b3 1  
b7E 1(U//~~FOUO~~) Interview of James Comey;  
Continuation of FD-302 of Collection of Four Memos, On 06/07/2017, Page 2 of 2

During the interview, at approximately 10:15 a.m., Comey voluntarily provided the interviewing Agents four memos. Comey had these memos in his possession when he met interviewing Agents. The memos collected are described as follows and will be maintained as evidence:

- One memo dated February 14, 2017, two pages;
- One memo dated March 30, 2017, two pages;
- One memo dated April 11, 2017, one page;
- One memo "last night at 6:30 pm," four pages.

Administrative

Comey signed an FD-597, Receipt for Property. A copy of the FD-597 was left with Comey. The original, signed FD-597, the memos reviewed by Comey, and interview notes will be maintained in the 1A section of this case file.

The memos provided to Comey for his review had previously been modified to include portion markings, banner lines, and classification authority blocks.

After being collected from Comey, the memos were locked securely in a General Services Administration approved safe located at the FBI Headquarters building, located at 935 Pennsylvania Ave, NW, Washington, DC, at approximately 2:00 p.m. the same day.

On Friday, June 9, 2017, the memos were transported and entered into evidence at the FBI Washington Field Office evidence control center.

~~SECRET//NOFORN~~

FBI 18-CV-00932-4

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 06-13-2019 BY [redacted] NSICG  
FD-397 (Rev. 4-15-2015)

Page 1 of 1

b6 1  
b7C 1

UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Receipt for Property

Case ID: \_\_\_\_\_

On (date) 6/7/2017

item (s) listed below were:

- ☐ Collected/Seized  
☒ Received From  
☐ Returned To  
☐ Released To

(Name) James Comey

(Street Address) [redacted]

(City) [redacted]

b6 2  
b7C 2

Description of Item (s): on 6/7/2017, the following items were received from Mr. Comey at the above address:

- one memo dated 2/14/2017, two pages
- one memo dated 3/30/2017, two pages
- one memo dated 4/11/2017, one page
- one memo "last night at 6:30 pm," four pages

Received By [redacted]

Received From: [Signature]

(Signature)

Printed Name/Title: SA [redacted]

Printed Name/Title: James B. Comey

b6 1  
b7C 1

FBI 18-CV-00932-5

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DATE 06-13-2019 BY [redacted] NSICG

6/7/17

1/1

b6 1,2  
b7C 1,2

Comex Jones

[redacted]

(1)

called on evening on my cell at my office  
night think my cell phoneblw the 7th birthday at Trump tower and injustice  
emul + Dyhiki and McCabe 2-M

(2)

class directed to LX

April sometime

Leadership and @ Leeburg  
called him on my IS  
all buyers

b5 per DOJ-OIP

len sure about on email  
in yellow

CLASSIFIED BY: NSIC [REDACTED]  
 REASON: 1.4 (C)  
 DECLASSIFY ON: 12-31-2041  
 DATE: 07-28-2019

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FD-302 (Rev. 5-8-10)

-1 of 3-

~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/19/2016



b6 -2  
 b7C -2

## DRAFT DOCUMENT/DELIBERATIVE MATERIAL

Do not disseminate outside the FBI without the permission of the originator or program manager.

Bruce OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters. After being advised of the identity of the interviewing Agent and the nature of the interview, OHR provided the following information:

b6 -5  
 b7C -5

(U) ~~(S//OC/NF)~~ OHR met [REDACTED] in 2007, sometime before a January 2008 conference they both attended. OHR remembers he was at a conference when [REDACTED] and their first interaction took place prior to that event. As the Chief of DOJ's Organized Crime and Racketeering Section at the time, OHR met [REDACTED] in London at [REDACTED] [REDACTED] was an expert on Russia, specifically Russian organized crime, and was concerned the west was not taking the Russian threat seriously. Russian oligarchs are brilliant yet cold-blooded and do not act like adults as they kill people for nothing. Over the years OHR and [REDACTED] had a few more meetings before OHR left [REDACTED] and joined or founded Orbis. [REDACTED] OHR and [REDACTED] would see each other once a year in London or the U.S. [REDACTED] had paid clients, yet provided OHR with the same short intel reports from a [REDACTED] OHR introduced [REDACTED]

b1 -1  
 b3 -1  
 b6 -2, 3  
 b7C -2, 3  
 b7D -1  
 b7E -2, 3, 4

(U) ~~(S//OC/NF)~~ OHR believes that [REDACTED]  
 [REDACTED]  
 [REDACTED]

b3 -1  
 b7D -1  
 b7E -2, 4

~~Reason: 1.4(b)  
 Derived From: FBI  
 NSISC-20090615  
 Declassify On: 20411231~~

~~SECRET//ORCON/NOFORN~~

Investigation on 11/22/2016 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 11/22/2016

by [REDACTED]

b3 -1  
 b6 -2  
 b7C -2  
 b7E -1

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FBI(18cv2107)-1

~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1Continuation of FD-302 of ~~(S//OC/NF)~~ Interview of Bruce Ohr, On 11/22/2016, Page 2 of 3

(U) ~~(S//OC/NF)~~ OHR believes Russian oligarchs will provide information to the FBI because in Russia everyone talks to the police. Following the 2014 Ukrainian invasion OHR met [redacted] OHR recalled the three talked about engaging with prospective oligarchs, and that meeting led to a meeting between the FBI, [redacted]

b1 -1  
b7A -1  
b6 -2, 3  
b7C -2, 3  
b7E -4

(U//FOUO) [redacted]

b7D -1, 2  
b7E -4

(U) ~~(S//OC/NF)~~ In late July 2016, possibly Saturday, July 30, 2016, [redacted] called OHR and asked to meet for breakfast as he/she was in Washington, D.C. and had some serious stuff to talk about. [redacted] planned to also tell SA [redacted] about the information he/she had collected. OHR met [redacted] for breakfast where OHR was told that Carter Page had met with high level officials in Russia. Page met with Sechin and one other person. The media had already documented Page's trip to Moscow at that time. The FSB had Trump over a barrel [redacted]

b1 -1  
b3 -1  
b6 -1, 2, 3  
b7A -1  
b7C -1, 2, 3  
b7D -1, 2  
b7E -2, 3, 4

(S) [redacted] reported to [redacted] In addition, [redacted] was furious at [redacted] and was making a case against him. [redacted] were almost ready to talk to the U.S. about the money [redacted] stole. [redacted] claimed he had already given some of this reporting to SA [redacted] and planned to give the rest to him. At that time, [redacted] had provided [redacted] with two reports regarding these topics while Glen Simpson had four. OHR provided copies of notes he took during and after the meeting with [redacted] which are enclosed as attachments.

(U) ~~(S//OC/NF)~~ OHR knew Glen Simpson hired [redacted] to dig up Trump's connections to Russia. OHR's wife is a Russian translator and was hired to conduct open source research. Even though she did not know the goal of the project, she was able to surmise the purpose as the individuals she was researching were close to Trump. OHR knew that Glen Simpson was hired by a lawyer who does opposition research. OHR knew [redacted] reporting on Trump's ties to Russia were going to the Clinton Campaign, Jon Winer at the U.S. State Department and the FBI. OHR was aware that Simpson was passing [redacted] information to many individuals or entities and at times [redacted] would attend meetings with Simpson.

b7E -4

(U) ~~(S//OC/NF)~~ OHR met [redacted] in Washington, D.C. in late September, possibly close to the time when the Yahoo news article was published on September 23, 2016. During that meeting, [redacted] advised the Alfa server in the US is a link to the Trump campaign and Sergei Millian's Russian/American organization in the U.S. used the Alfa server two weeks

b7E - 4

~~SECRET//ORCON/NOFORN~~

FBI(18cv2107)-2

~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1

(U) [redacted]  
Continuation of FD-302 of (S//OC/NF) Interview of Bruce Ohr On 11/22/2016 Page 3 of 3

prior [redacted] (S)

b1 -1  
b3 -1  
b6 -1, 3  
b7C -1, 3  
b7E -4

[redacted] was desperate that Donald Trump not get elected and was passionate about him not being the U.S. President. OHR believes [redacted] wanted to blunt or foil the Kremlin's plans. Simpson and [redacted] could have met with Yahoo or Michael Isikoff jointly, but OHR does not know if they did. OHR provided copies of notes he took after the meeting with [redacted] which are enclosed as attachments.

(U) (S//OC/NF) OHR never believed [redacted] was making up information or shading it. He/she would say this is what [redacted] are telling me. There are always Russian conspiracy theories that come from the Kremlin. One time OHR heard a theory from [redacted]

b7D -1, 2  
b7E -3, 4

[redacted] OHR honestly believes [redacted] reported what he heard from [redacted] but that doesn't make that story true.

(U) (S//OC/NF) Jon Winer possibly knew [redacted] OHR met Winer in 1999 or 2000 when Winer was the U.S. Deputy Assistant Secretary of State for International Law Enforcement. Winer was very interested in Russian Organized Crime and enthusiastic about the subject, yet at times difficult to deal with. OHR knew Glen Simpson and others were talking to Victoria Nuland at the U.S. State Department.

b6 -1  
b7C -1  
b7E -4

(U) (S//OC/NF) OHR does not know how [redacted] handles or communicates [redacted] OHR does not know the identity of [redacted]

b7D -1, 2  
b7E -4

(U) (S//OC/NF) OHR provided the following contact information for [redacted]

b6 -4  
b7C -4  
b7D -1  
b7E -4~~SECRET//ORCON/NOFORN~~

FBI(18cv2107)-3



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WHERE SHOWN OTHERWISE

CLASSIFIED BY: NSICG [REDACTED]  
REASON: 1.4 (C)  
DECLASSIFY ON: 12-31-2041  
DATE: 07-23-2019

FD-302 (Rev. 5-8-10)

- 1 of 2 -



~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/19/2016

**DRAFT DOCUMENT/DELIBERATIVE MATERIAL**

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Bruce OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters. After being advised of the identity of the interviewing Agent and the nature of the interview, OHR provided the following information:

b6 -2  
b7C -2

(U) ~~(S//OC/NF)~~ OHR has never [REDACTED] On one occasion, OHR met with [REDACTED]

b6 -5  
b7C -5

b6 -1  
b7C -1  
b7D -2  
b7E -4

[REDACTED] (S)

b1 -1  
b3 -1  
b6 -1  
b7C -1  
b7E -4

(U) ~~(S//OC/NF)~~ OHR has never been present during meetings between [REDACTED] and Jon Winer. OHR is only aware that [REDACTED] and Winer have met as [REDACTED] advises OHR that the meetings occur.

(U) ~~(S//OC/NF)~~ Glen Simpson directed [REDACTED] to speak to the press as that was what Simpson was paying [REDACTED] to do. OHR does not know if [REDACTED] going to Mother Jones was Simpson's idea or not.

b7E -4

(U) ~~(S//OC/NF)~~ Glen Simpson hired OHR's wife to conduct research for his firm. OHR will voluntarily provide his wife's research to the FBI. OHR provided the interviewing Agent with a report on Paul Manafort. The report titled, "Manafort Chronology", was scanned and is a digital attachment to this document.

~~Reason: 1.4(b)  
Derived from: FBI  
NSISC-20090615  
Declassify On: 20411231~~

~~SECRET//ORCON/NOFORN~~

Investigation on 12/05/2016 at Washington, District Of Columbia, United States (In Person)

File [REDACTED] Date dictated 12/12/2016  
by [REDACTED]

b3 -1  
b6 -2  
b7C -2  
b7E -1

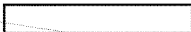
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FD-302a (Rev. 05-08-10)

~~SECRET//ORCON/NOFORN~~

(U)

Continuation of FD-302 of ~~(S//OC/NF)~~ Interview of Bruce Ohr, On 12/05/2016, Page 2 of 2b3 -1  
b7E -1~~SECRET//ORCON/NOFORN~~

FBI(18cv2107)-5

CLASSIFIED BY: NSIC [REDACTED]  
 REASON: 1.4 (C)  
 DECLASSIFY ON: 12-31-2041  
 DATE: 07-29-2019

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FD-302 (Rev. 5-8-10)

- 1 of 3 -

~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/19/2016

b6 -2  
 b7C -2

**DRAFT DOCUMENT/DELIBERATIVE MATERIAL**

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Bruce OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters. After being advised of the identity of the interviewing Agent and the nature of the interview, OHR provided the following information:

b6 -5  
 b7C -5

(U) ~~(S//OC/NF)~~ OHR had breakfast at Peet's Coffee, 11th and E St. NW, Washington, D.C. with Glenn Simpson at 10:00 A.M. on December 10, 2016. During breakfast Simpson provided OHR with an 8GB Verbatim USB micro digital media drive (thumb drive). OHR does not know what is on the thumb drive but believes it is in regards to the work [REDACTED] was hired to do for Simpson. The thumb drive was entered into evidence at WFO as original evidence [REDACTED] and a working copy CD-ROM was produced for investigative use. An evidence FD-302 was generated and serialized to this file.

b7E -4, 5

(U) ~~(S//OC/NF)~~ OHR took notes after the meeting with Simpson to preserve his memory and referred to them during the interview. OHR's notes are an attachment to this document.

(U) ~~(S//OC/NF)~~ Simpson identified Michael Cohen, a lawyer in Brooklyn, NY as having many Russian clients in the Brighton Beach, NY area. Cohen is the go-between Russia and the Trump Campaign and replaced Paul Manafort and Carter Page. Cohen's wife's last name is Shusterman [REDACTED] Cohen may have attended a meeting in Prague, possibly in September, regarding the Trump Campaign and the Russians.

b6 -1  
 b7C -1

~~Reason: 1.4 (b)  
 Derived From: FBI  
 NSISC-20090615  
 Declassify On: 20411231~~

~~SECRET//ORCON/NOFORN~~

Investigation on 12/12/2016 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 12/14/2016

by [REDACTED]

b3 -1  
 b6 -2  
 b7C -2  
 b7E -1

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FBI(18cv2107)-6

~~SECRET//ORCON/NOFORN~~

(U) [REDACTED]  
 Continuation of FD-302 of ~~(S//OC/NF)~~ Interview of Bruce Ohr, On 12/12/2016, Page 2 of 3

b3 -1  
 b7E -1

(U) ~~(S//OC/NF)~~ According to Simpson, much of his collection about the Trump campaign ties to Russia comes from [REDACTED]  
 (U) [REDACTED] Simpson does not know his name.

b6 -3  
 b7C -3

(U) ~~(S//OC/NF)~~ A former Trump campaign official, possibly Rick Wilson, was talking about some of the Trump ties to Russia and the Trump Campaign tried to sue him for violating his non-disclosure agreement.

(U) ~~(S//OC/NF)~~ A Russian senator and mobster named Torshin may be involved in running the Central Bank of Russia. Torshin's name comes up in in Law Enforcement Organized Crime circles as he is well known in a famous Spanish case that shows direct linkages between Russian Organized Crime, Torshin and the Russian Government. Torshin may have funneled Russian money to the National Rifle Association (NRA) to use in support of Trump. An NRA lawyer, [REDACTED] found out about the money pipeline and was very upset, but the election was over by the time she learned of it. Simpson stated there are pictures of Torshin with Trump. Simpson provided OHR with an article on the NRA and Torsion. The article is an attachment to this document.

b6 -1  
 b7C -1

(U) ~~(S//OC/NF)~~ Some of Simpson's staff believe the NRA spent an abnormally large amount of money during the election, possibly indicating Russian involvement, but others in his company disagree.

(U) ~~(S//OC/NF)~~ The New York Times story from October 3, 2016, that downplayed the connection between Alfa Bank servers and the Trump campaign was incorrect. There was communication and it wasn't spam. [REDACTED]

[REDACTED] (U)

b1 -1  
 b3 -1  
 b6 -1,3  
 b7A -1  
 b7C -1,3  
 b7E -2,3

(U) ~~(S//OC/NF)~~ Simpson received a bizarre tip on December 9 that the [REDACTED]

[REDACTED] Simpson is not sure whether to believe this.

(U) ~~(S//OC/NF)~~ Simpson still thinks Sergei Millian is a key figure connecting Trump to Russia. Looking at Millian led Simpson's company to Cohen. Simpson would be surprised if Millian was still in the U.S. Simpson believes Millian is an SVR officer, however he is deducing this from Millian's alias, not because he was told Millian was SVR. Millian may have overseen many financial transfers from Russia to assist the Trump campaign.

(U) ~~(S//OC/NF)~~ Simpson asked [REDACTED] to speak to the Mother Jones reporter as it was Simpson's Hail Mary attempt.

b7E - 4

~~SECRET//ORCON/NOFORN~~

FBI(18cv2107)-7

~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1

(U) [Redacted] Continuation of FD-302 of ~~(S//OC/NF)~~ Interview of Bruce Ohr, On 12/12/2016, Page 3 of 3

(U) ~~(S//OC/NF)~~ OHR asked Simpson if he was concerned about his personal safety. Simpson responded that he learned from his Russian investigative reporting what they were capable of but there was no way for him to know if they were coming after him. Simpson mentioned that someone called and asked him to find out where all of the Alfa Bank stories were coming from. Simpson did not state this was a threat from the Russians, but that was the impression made upon OHR based upon the timing of the comment and using that story as a response to OHR's question.

~~SECRET//ORCON/NOFORN~~

FBI(18cv2107)-8

DECLASSIFIED BY: NSIC [REDACTED]  
ON: 07-28-2019b6 -2  
b7C -2

FD-302 (Rev. 5-8-10)

- 1 of 1 -

~~SECRET//ORCON/NOFORN~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/27/2016**DRAFT DOCUMENT/DELIBERATIVE MATERIAL**

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Bruce OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters. After being advised of the identity of the interviewing Agent and the nature of the interview, OHR provided the following information:

b6 -5  
b7C -5

(U)

(S//SC/NF) On December 20, 2016, at 11:00 A.M. OHR provided writer with an 8GB SanDisk Cruzer Glide USB micro digital data storage drive (thumb drive). Glen Simpson at Fusion GPS hired OHR's wife, Nellie Ohr, to conduct research for his firm. OHR voluntarily provided his wife's research to the FBI. OHR provided the interviewing Agent with the thumb drive and indicated it contained the totality of the work Nellie Ohr conducted for Simpson, but the Fusion GPS header was stripped. Nellie Ohr is a Russian linguist/analyst and a former Russian History professor. The thumb drive was entered into evidence.

~~Reason: 1.4(b)  
Derived From: FBI  
NSISC-20090615  
Declassify On: 20411231~~

~~SECRET//ORCON/NOFORN~~Investigation on 12/20/2016 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date drafted 12/20/2016by [REDACTED]b3 -1  
b6 -2  
b7C -2  
b7E -1

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DECLASSIFIED BY: NSICG [REDACTED]  
ON: 07-23-2019

b6 -2  
b7C -2

FD-302 (Rev. 5-8-10)

- 1 of 2 -

~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/31/2017

DRAFT DOCUMENT/DELIBERATIVE MATERIAL

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(U) ~~(S//OC/NF)~~ Bruce OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters, 935 Pennsylvania Ave., Washington, DC. After being advised of the identity of the interviewing Special Agent and Intelligence Analyst and the nature of the interview, OHR provided the following information:

b6 -5  
b7C -5

(U) ~~(S//OC/NF)~~ On January 20, 2017, OHR received an e-mail from Glen Simpson asking OHR to contact Simpson. OHR subsequently contacted Simpson telephonically. During the telephonic conversation, Simpson told OHR that one of [REDACTED] has been identified and will likely be publicly named by the media within the next couple of days. [REDACTED]

[REDACTED] When OHR asked for more information regarding [REDACTED] and the nature of the threat, Simpson replied he would contact Steele for more information and then re-contact OHR.

b6 -1, 4  
b7C -1, 4  
b7D -1, 2  
b3 -1

(U) ~~(S//OC/NF)~~ In the early hours of January 21, 2017, OHR received a text message from Steele which OHR did not notice until later in the morning. Around 8:00 am on the same day, OHR received call from Steele. During this conversation Steele relayed his concerns regarding the safety of [REDACTED]

Reason: 1.4(b)  
Derived From: FBI  
NSISC-20090615  
Declassify On: 20421231

~~SECRET//ORCON/NOFORN~~

Investigation on 01/23/2017 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 01/25/2017

by [REDACTED]

b3 -1  
b6 -2  
b7C -2  
b7E -1

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~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1

(U) [redacted] Interview of Bruce Ohr 23  
 Continuation of FD-302 of January 2017 On 01/23/2017, Page 2 of 2  
 [redacted] was released in the media. Steele stated if  
 [redacted] "may need help quickly."

b3 -1  
b6 -1, 4  
b7C -1, 4  
b7D -1, 2  
b7E -2, 3

(U) ~~(S//OC/NF)~~ [redacted]  
 [redacted]

b3 -1  
b6 -1, 3  
b7C -1, 3  
b7D -1, 2  
b7E -2, 3

(U) ~~(S//OC/NF)~~ Steele also told OHR that he spoke with a staff member of Senator John McCain's office sometime prior to October 2016. Steele had this conversation at the request of [redacted]. Since October 2016, Steele had not spoken to anyone regarding the Trump dossier.

b6 -1  
b7C -1

(U) ~~(S//OC/NF)~~ OHR took notes during the contact with Simpson and Steele to preserve his memory and referred to them during the interview. OHR's notes are an attachment to this document.

~~SECRET//ORCON/NOFORN~~

FBI(18cv2107)-11



DECLASSIFIED BY: USICG [REDACTED]  
ON: 07-23-2019

b6 -2  
b7C -2

FD-302 (Rev. 5-8-10)

- 1 of 1 -



~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/27/2017

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(U) ~~(S//OC/NF)~~ Bruce OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters, 935 Pennsylvania Ave., Washington, DC. After being advised of the identity of the interviewing Special Agents and the nature of the interview, OHR provided the following information:

b6 -5  
b7C -5

(U) ~~(S//OC/NF)~~ On January 24, 2017, OHR received a WhatsApp notification from Christopher Steele. On January 25, 2017, Steele contacted and spoke with OHR via WhatsApp. [REDACTED]

b3 -1  
b6 -1, 4  
b7C -1, 4  
b7D -1, 2  
b7E -3

(U) ~~(S//OC/NF)~~ OHR took notes during the contact with Steele to preserve his memory and referred to them during the interview. OHR's notes are an attachment to this document.

~~Reason: 1.4(b)  
Derived From: FBI  
NSISC-20090615  
Declassify On: 20421231~~

~~SECRET//ORCON/NOFORN~~

Investigation on 01/25/2017 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 01/25/2017

by [REDACTED]

b3 -1  
b6 -2  
b7C -2  
b7E -1

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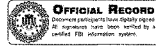
FBI(18cv2107)-12

DECLASSIFIED BY: NSICG [REDACTED]  
ON: 07-23-2019

b6 -2  
b7C -2

FD-302 (Rev. 5-8-10)

- 1 of 1 -



~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/27/2017

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(U)

~~(S//OC/NF)~~

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b6 -5  
b7C -5

(U)

~~(S//OC/NF)~~

On January 27, 2017, OHR received a WhatsApp notification from Christopher Steele indicating [REDACTED] and Steele would like to keep the line of communication open with OHR for future contact. OHR replied in the affirmative.

b6 -4  
b7C -4  
b7D -2

Reason 1.4(b)

Derived From: FBI

NSISC-20090615

Declassify On: 20421231

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Investigation on 01/27/2017 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 01/27/2017

by [REDACTED]

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b7C -2  
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 REASON: 1.4 (C)  
 DECLASSIFY ON: 12-31-2042  
 DATE: 07-23-2019

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FD-302 (Rev. 5-8-10)

- 1 of 2 -

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FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/08/2017

**DRAFT DOCUMENT/DELIBERATIVE MATERIAL**

Do not disseminate outside the FBI without the permission of the originator or program manager.

(U) ~~(S//OC/NF)~~ Bruce OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters, 935 Pennsylvania Ave., Washington, DC. After being advised of the identity of the interviewing Special Agents and the nature of the interview, OHR provided the following information:

b6 -5  
 b7C -5

(U) ~~(S//OC/NF)~~ OHR stated he had been contacted by Christopher Steele, via WhatsApp, on January 31, 2017. On January 30, 2017, the Trump Administration fired Acting Attorney General Sally Q. Yates and Steele had contacted OHR to determine if OHR anticipated being fired as well and, if so, who in the Department of Justice could he continue to reach out to. OHR added that he had previously explained to Steele at some point, his contact with the U.S. Government would have to involve the FBI. Interviewing agents asked OHR to ask Steele if he would be comfortable getting the name of an FBI agent.

(S) ~~(S//OC/NF)~~ OHR advised Kathleen Kavalec, Deputy Assistant Secretary, Bureau of European and Eurasian Affairs, U.S. Department of State would be meeting [REDACTED] representatives in order to discuss potential Russian influence in their upcoming Presidential elections. OHR reminded the interviewing agents Kavalec did speak with Steele several times prior to the 2016 US Presidential election and believed Steele's reporting to have generated from mainly [REDACTED]

b1 -1 Per DOS  
 b6 -4  
 b7C -4  
 b7D -2

(U) ~~(S//OC/NF)~~ OHR also advised [REDACTED] an attorney representing [REDACTED] explained his client felt [REDACTED] were recently complicated by the FBI, who he [REDACTED]

b1 -1  
 b3 -1  
 b6 -1, 3  
 b7C -1, 3  
 b7A -1

Reason: 1.4 (b)  
 Derived From: FBI  
 NSISC-20090815  
 Declassify On: 20421231

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Investigation on 02/06/2017 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 02/08/2017  
 by [REDACTED]

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 b7C -2  
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FBI(18cv2107)-14

~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1

(U) [redacted]  
 (S//OC/NF) Interview of Bruce Ohr 06  
 Continuation of FD-302 of February 2017 On 02/06/2017 2 of 2  
 felt viewed him as a criminal. [redacted] informed OHR that [redacted] would  
 like to 'clean things up' and felt the circumstances surrounding the 2016  
 US Presidential election had become 'too emotional.' OHR stated, as he  
 understood it, [redacted] was informed of what was required during the FBI  
 interview.

b3 -1  
b6 -1, 3, 4  
b7C -1, 3, 4  
b7A -1  
b7D -1  
b7E -2, 3

(U) (S//OC/NF) [redacted]

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- 1 of 2 -



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FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/15/2017

**DRAFT DOCUMENT/DELIBERATIVE MATERIAL**

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(U) ~~(S//OC/NF)~~ Bruce OHR, [redacted] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) was interviewed at FBI Headquarters, 935 Pennsylvania Ave., Washington, DC. After being advised of the identity of the interviewing Special Agents and the nature of the interview, OHR provided the following information:

b6 -5  
b7C -5

(U) ~~(S//OC/NF)~~ OHR stated he had been contacted by Christopher Steele, via WhatsApp and OHR responded via FaceTime on 02/11/2017.

(U) ~~(S//OC/NF)~~ Steele advised OHR that [redacted]  
[redacted]  
[redacted] OHR added [redacted]  
[redacted]

b6 -1, 4  
b7C -1, 4  
b7D -2

(U) ~~(S//OC/NF)~~ Steele's company is continuing to work for both [redacted]  
[redacted] another attorney for [redacted]  
[redacted] However, OHR explained Steele is beginning to worry about his business and was preparing a [redacted] to broker a business relationship with the FBI. Steele advised OHR, 'You may see me re-emerge in a couple of weeks.'

b6 -1, 3, 4  
b7C -1, 3, 4  
b7A -1  
b7E -2, 3

(U) ~~(S//OC/NF)~~ OHR responded he had yet to ask Steele if he would like to be provided with an FBI contact.

(U) ~~(S//OC/NF)~~ OHR also advised [redacted] was doing fine, but were still a bit "freaked out." However, it seemed to Steele that things were calming down and he was pleased about a recent CNN article that stated U.S.

~~Reason: 1.4(b)~~

~~Derived From: FBI  
NSISC-20090615~~

~~Declassify On: 20421231~~

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Investigation on 02/14/2017 at Washington, District Of Columbia, United States (In Person)

File # [redacted] Date drafted 02/15/2017

by [redacted]

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b7E -1

(U)

~~(S//OC/NF)~~ Interview of Bruce Ohr 14

Continuation of FD-302 of February 2017 On 02/14/2017, Page 2 of 2  
~~Government investigations had confirmed some of the reporting in his~~  
dossier.

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ON 07-23-2019

b6 -2  
b7C -2

FD-302 (Rev. 5-8-10)

- 1 of 2 -

~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/10/2017



(U) ~~(S//OC/NF)~~ On 5/8/2017, SA [REDACTED] and SSA [REDACTED] interviewed BRUCE OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) at FBI Washington Field Office, 601 4th Street, Washington, DC. After being advised of the identity of the interviewing agents and the nature of the interview, OHR provided the following information:

b6 -2, -5  
b7C -2, -5

(U) ~~(S//OC/NF)~~ OHR and STEELE communicated via text message in WhatsApp and arranged a call for 5/3/2017 at 8:00 AM. STEELE told OHR that business was good.

(U) ~~(S//OC/NF)~~ STEELE had been worried about Director Comey's upcoming testimony to congress, especially his response to questions that would be raised by Representative Grassley. STEELE was specifically concerned about anything Director Comey would say [REDACTED]  
[REDACTED] STEELE was happy with Director Comey's response.

b3 -1  
b6 -4  
b7C -4  
b7D -2

(U) ~~(S//OC/NF)~~ In a previous conversation, STEELE had expressed concern for [REDACTED]  
[REDACTED]

(U) ~~(S//OC/NF)~~ STEELE informed OHR that the disclosure laws in the UK were more narrow than in the United States and therefore limited his ability to testify before Congress. STEELE cited specifically that he was restricted from [REDACTED]

(U) ~~(S//OC/NF)~~ [REDACTED] and had been on the staff of the [REDACTED] At the time of the interview, [REDACTED] was working with the [REDACTED]  
[REDACTED]

b6 -1, 4  
b7C -1, 4  
b7D -2

~~Reason: 1.4(b)  
Derived From: National  
Security Information SCG  
Declassify On: 20271231~~

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Investigation on 05/08/2017 at Washington, District Of Columbia, United States (In Person)  
File # [REDACTED] Date drafted 05/08/2017  
by [REDACTED]

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b7C -2  
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~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1

(U) [redacted] Interview of Bruce Ohr 8 May 05/08  
Continuation of FD-302 of 2017 /2017 , On , Page 2 of 2

(U) ~~(S//OC/NF)~~ GLENN SIMPSON of FUSION-GPS and [redacted] would be visiting STEELE soon and were in the process of "lawyering up" (NFI).

(U) ~~(S//OC/NF)~~ JONATHAN WINER was bringing over a letter separately (NFI).

(U) ~~(S//OC/NF)~~ STEELE was interested in working with the FBI and had additional information if the FBI was interested.

b6 -1  
b7C -1~~SECRET//ORCON/NOFORN~~

FBI(18cv2107)-19



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ON 07-23-2019

b6 -2  
b7C -2

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- 1 of 1 -



~~SECRET//ORCON/NOFORN~~

FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/12/2017

(U) ~~(S//OC/NF)~~ On 5/12/2017, SA [REDACTED] and SSA [REDACTED] interviewed BRUCE OHR, [REDACTED] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) at FBI Washington Field Office, 601 4th Street, Washington, DC. After being advised of the identity of the interviewing agents and the nature of the interview, OHR provided the following information:

b6 -2, -5  
b7C -2, -5

(U) ~~(S//OC/NF)~~ STEELE sent OHR a text message in WhatsApp some time around Tuesday and they set up a call via WhatsApp for Wednesday 2:00 PM EST.

(U) ~~(S//OC/NF)~~ Over the course of their telephone call, STEELE informed OHR that he had received a letter from the Senate Intelligence Committee (SIC). The letter requested answers to the following questions:

1. Had STEELE provided information to the US Government?
2. What was the scope of STEELE's investigation?
3. Did STEELE have any additional information to provide?

(U) ~~(S//OC/NF)~~ STEELE mentioned that SIC was considering sending staffers to the UK.

(U) ~~(S//OC/NF)~~ [REDACTED] requested that OHR ask STEELE if he would be willing to have a conversation with FBI agents in the UK. OHR agreed to pass along the message.

b6 -2  
b7C -2

Reason: 1.4(b)  
Derived From: National  
Security Information SCG  
Declassify On: 20271231

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Investigation on 05/12/2017 at Washington, District Of Columbia, United States (In Person)  
by [REDACTED] Date drafted 05/12/2017  
by [REDACTED]

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b7C -2  
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- 1 of 1 -

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/16/2017

b6 -2, -5  
b7C -2, -5

(U) ~~(S//OC/NF)~~ On 5/15/2017, SA [redacted] and SSA [redacted] interviewed BRUCE OHR, [redacted] currently the Associate Deputy Attorney General and Director of the Department of Justice's Organized Crime and Drug Enforcement Task Force (OCDETF) at FBI Washington Field Office, 601 4th Street, Washington, DC. After being advised of the identity of the interviewing agents and the nature of the interview, OHR provided the following information:

(U) ~~(S//OC/NF)~~ CHRISTOPHER STEELE sent OHR a text message in WhatsApp on or around Friday, 5/12/2017. The two set up a call via WhatsApp for Saturday at 9:00 AM EST.

b6 -1  
b7C -1

(U) ~~(S//OC/NF)~~ Per FBI's previous request, OHR asked STEELE if he would be willing to meet with FBI agents. STEELE responded that the answer was an immediate yes but that he would need to check with [redacted] OHR was clear that this would be nothing more than a conversation with the FBI and STEELE said that would be alright.

(U) ~~(S//OC/NF)~~ STEELE informed OHR that he had information regarding a conversation between [redacted]

(U) ~~(S//OC/NF)~~ STEELE contacted OHR via Whatsapp at 9:45 AM on Monday, 5/15/2017. STEELE said that [redacted] were both ok with him talking to the FBI.

b6 -1, 2  
b7C -1, 2

(U) ~~(S//OC/NF)~~ SSA [redacted] told OHR that he would communicate with headquarters regarding FBI agents meeting with STEELE and let him know when he received a response.

Reason: 1.4(b)  
Derived From: National  
Security Information SCG  
Declassify On: 20271231

~~SECRET//ORCON/NOFORN~~

Investigation on 05/15/2017 at Washington, District Of Columbia, United States (in Person)  
File # [redacted] Date drafted 05/15/2017  
by [redacted]

b3 -1  
b6 -2  
b7C -2  
b7E -1

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Josh Israel

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Senior Investigative Reporter for ThinkProgress Contact me: [jisrael@thinkprogress.org](mailto:jisrael@thinkprogress.org)  
 Nov 23 · 10 min read

## Why has the NRA been cozying up to Russia?

The Right to Bear Arms in Moscow enjoys a close relationship with America's leading gun-rights group.



Photo Illustration by Adam Peck. CREDIT: AP Images, iStockphoto

Throughout the 2016 presidential campaign, there was a steady stream of stories published about Donald Trump, his second campaign manager, his supporters at Wikileaks, and the ties they appeared to have to Russian President Vladimir Putin and the Russian Federation. Reporting also highlighted that, more than any other national organization, the National Rifle Association (NRA) went all-in to elect Trump.

<https://thinkprogress.org/nra-and-russian-cousin-18f607d40240>

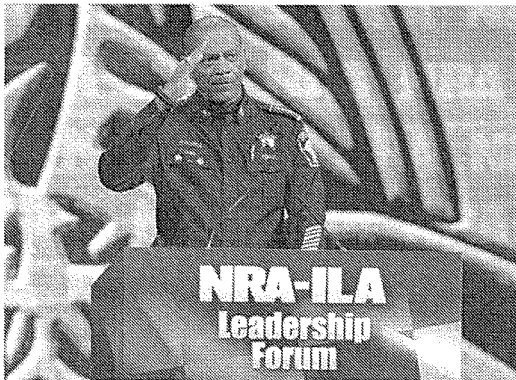
FBI(18cv2107)-22  
12/13/2018

But no attention was given to the ties between the NRA, a Russian gun-rights group run by a twenty-something gun activist named Maria Butina, and her close friend and boss, the deputy governor of the Russian central bank, Alexander Torshin.

Why does an American gun group that promotes gun rights as a defense against tyranny align itself with a group with close ties to an authoritarian regime? Why would Putin allies build a grassroots non-profit to loosen Russia's gun laws, rather than just enact them? Experts who spoke to ThinkProgress say they are not sure, but they discussed whether the whole arrangement is a cover for a larger effort to undermine American sanctions against Russia.

## A meeting in Moscow

On December 11, 2015, in the depths of a biting Moscow winter, The Right to Bear Arms hosted a delegation from its American counterpart, the NRA. David Keene, an NRA board member and former national president of the organization, flew to Russia to attend the event. Also at that meeting were NRA First Vice President Pete Brownell, CEO of the world's largest firearm accessories supplier; NRA funder Dr. Arnold Goldschlager and his daughter, NRA Women's Leadership Forum executive committee member Hilary Goldschlager; and Outdoor Life channel head Jim Liberatore. Perhaps the most famous guest at the gathering, trading his customary uniform for a black leather vest over a button-down shirt, was Milwaukee County Sheriff and Fox News regular David A. Clarke.



Milwaukee County Sheriff David Clarke at the National Rifle Association's 2014 convention  
CREDIT: AP Photo / AJ Mat

Clarke said little publicly about the event. Two weeks earlier, his office put out a vague press release noting that he would “travel to the Middle East and Asia beginning November 28, 2015 and returning December 13, 2015,” including that he’d “receive briefings on issues facing those regions and visit historic sites.”

But the Milwaukee Journal Sentinel’s Daniel Bice noticed that Clarke’s January 2016 ethics disclosure filing shed some light on the trip. Part one was \$20,155 trip to Israel, paid for by the NRA Ring of Freedom. During his week-plus of travel there, he did a remote interview from Jerusalem for Fox Business Network. The remaining days were spent in Russia. His airfare to Moscow and visas, totaling \$13,785.10, were paid for by Brownell; his \$6000 worth of meals, hotel, transportation, and excursions were provided by the “All-Russia Public Organization ‘The Right to Bear Arms.’”

Clarke’s office declined to release any records to Bice about the trip, the reporter wrote, “saying it was personal—not official—travel, even though personal trips (a.k.a. vacations) are not supposed to be listed on the ethics form.”

At that conference, according to a post on the Right to Bear Arms’ Facebook page, in addition to group’s chairman and founder Maria

Butina, a welcoming speech was delivered by honorary member of The Right to Bear Arms Alexander Torshin.



(CREDIT) The Right to Bear Arms Facebook page

## The Godfather and the Godmother?

Maria Butina grew up in Altai, a mountainous area in southern Siberia, but moved to Moscow when she was 22. Almost overnight, she gained notice as the founder and chair of Russia's gun-rights movement. Reportedly a strong supporter of Putin and his United Russia Party, she helped start The Right to Bear Arms about five years ago as a non-profit organization. The group, she vowed, would not be a front for "any bloody lobby" and would be funded through dues from members. "I personally have a furniture and household appliances business," she told Russian newspaper Izvestia.

"People who give us money for work, they are usual gun owners because to have a gun in Russia is very expensive. So these people, they have money and they give us money," Butina explained in a 2014 interview with Townhall's Katie Pavlich. "We have no money from government, not one coin from government." The group now claims 10,000 members.

Though Russia's constitution does not contain Second Amendment-like gun rights, her rhetoric is remarkably similar to the NRA's. "More legal guns equal less crime," she told the Moscow Times this year. "If a country bans guns, only criminals have access to them."

After the Sandy Hook mass shooting in 2012, her group criticized gun-free school zones as ineffective prohibitionist policies. "In this shooting six teachers died, six people who could literally use only their hands to defend children... The murderer planned this knowing that no one would be armed," she told Radio Free Europe/Radio Liberty. "What is the right to life, ingrained in our constitution, if you don't have the right to bear arms? If a person wishes to defend himself, he has no means for protection."

Maria Butina, Chairman of the Russian orga...



Like the NRA, Butina tends to dismiss the connection between guns and death, including suicides. "People online take facts from my blog, turn them upside and scream 'Just look at this! In the States, 30,000 people die from firearms every year! How awful!' But so what?" she told the New Republic in 2012. "Switzerland has the most suicides using a gun, and yet, Switzerland has the least number of total suicides. Moreover, a gun is the most humane weapon for suicide compared to all the other methods that exist."

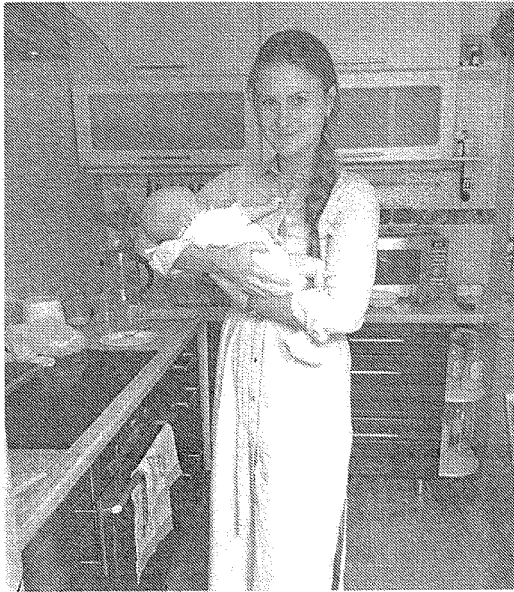
The same article noted that, early on, Butina "gained a powerful ally"—Alexander Torshin, who is an NRA Life Member, a "high-ranking member" of Putin's United Russia and, at the time, the first deputy speaker of the Russian senate.

The NRA took note when Torshin authored an unsuccessful bill that year that would have allowed public use of firearms. When he presented the bill to his colleagues, days after the Aurora, Colorado, movie theater shooting that left a dozen dead, his colleagues were

not sold. They feared Russians, too, would all shoot each other. "How can you have so little trust for yourself, for your people," he asked them. In 2014, however, Putin's government did change the law to allow licensed gun owners to carry weapons in public for self-defense.

After years serving in the upper house of parliament, in 2015 he was appointed deputy governor for Russia's central bank. Butina was appointed "special assistant" to Torshin at the bank.

Their close relationship is evident in their work and social media presence. In 2014, she praised him as a "great gun lover" who supports both The Right to Bear Arms group and the NRA. Last month, Torshin tweeted a photo of her holding a baby, calling her "the godmother" of the child.





Torshin also has been called "the godfather." While he's only admitted to having been a godfather in the religious sense, Spanish investigators claimed in an August report that the "Russian politician Alexander Porfirievich Torshin stands above [an alleged figure in the Moscow-based Taganskaya crime syndicate], who calls him 'godfather' or 'boss'" and conducted on his behalf "activities and investments." Torshin denied the allegation, telling Bloomberg "I'm a public individual and I'm not hiding anywhere."

Torshin told the New Republic's Julia Toffe in 2012 that he admires the NRA because it represents "stability"—the credo of Putin's reign."

## The Keene connection

In May of 2013, Torshin traveled to the NRA convention in Houston. Months later, he wrote about it in an Washington Times OP/ED about the passing of Mikhail Kalashnikov (the inventor of the AK-47). "Last year, I had the pleasure of attending the National Rifle Association's annual meeting in Houston," he recounted. "Kalashnikov couldn't join me, though we have both been 'life members' of the NRA for years. At 93, his health was even then beginning to fail, but I thought of him as I toured the exhibit area where I saw dozens of AK-47 clones." The opinion editor for the paper is the NRA's David Keene.

In between, Keene traveled to Russia for a fall 2013 gun conference, hosted by The Right to Bear Arms. Butina's online advertisements for the event specifically highlighted his participation, calling him "the former president of the legendary NRA." She chaired the event, Torshin attended, and Keene spoke. Keene posted a picture of his visit with Torshin on his personal website and shared it on Facebook. Weeks after the conference, Butina explained in a LiveJournal post that just because a foreign citizen is an NRA member, that does not necessarily mean they are a spy.

In April of 2014, Butina traveled to the NRA's annual meeting in Indianapolis. She was given the "rare privilege" of ringing the organization's replica of the Liberty Bell and presented a plaque to NRA President Jim Porter. She attended a women's luncheon as the

guest of former NRA President Sandy Froman and participated in the general meeting as Keene's special guest.




Butina blogged about her trip, noting that she was invited to speak at the exclusive Ring of Freedom dinner with "the patrons who donated" more than \$1 million to the NRA. Before leaving the country, she stopped by the organization's national headquarters in Fairfax, Virginia, and posed for a picture with Keene.

Butina returned the following April for the annual convention in Nashville. She marveled about winning a necklace and earrings at the silent auction, attending the women-only NRA women's forum, and about the lack of democracy in decision-making. "In spite of all democracy, foreigners, even if the members of the NRA, can not vote for the adoption of decisions," she observed, noting that at The Right to Bear Arms, "we maintain direct democratic elections. In my opinion, as the founder of the organization, it is more fair to the citizens."

Torshin attended the May 2016 convention in Louisville, Kentucky, meeting with Trump and even sharing a table with Donald Trump Jr. at one of the dinners.



 А.П. Торшин

Follow

The Right to Bear Arms has a ways to go before they can develop the outsized level of influence its American counterpart enjoys. But in 2014, it successfully convinced the Russian parliament to pass a castle doctrine bill. Butina has talked a great deal about bringing the NRA's successful programs, like the group's Eddie Eagle curriculum for kids, to Russia.

## A hidden purpose?

Butina's interests appear to go beyond just guns. She frequently writes about her opposition to economic sanctions by the west, including those on Russian arms. In a 2015 article for *The National Interest*, she wrote, "It may take the election of a Republican to the White House in 2016 to improve relations between the Russian Federation and the United States."

Not long after Butina's 2014 visit, the NRA put out a little-noticed statement criticizing the Obama administration's sanctions against Russia. Noting that the crackdown included Russia's arms manufacturer, they wrote: "While the United States government blames the Ukrainian conflict for this latest move, gun control advocates will no doubt applaud the ban on importation of some of the very types of firearms at the center of recent domestic attempts

to ban so-called "assault weapons." Weeks later, The Right to Bear Arms announced it would soon host another NRA representative in Moscow, "life member" Paul Erickson, for an "open meeting."

In 2015, Butina traveled around country following Republican presidential candidates. She attended Gov. Scott Walker's (R-WI) announcement speech in Waukesha, Wisconsin. As an audience member at a Trump campaign event in Las Vegas, she asked the candidate about sanctions and his commitment to lift them if elected.

Josh Horwitz, executive director of the Coalition to Stop Gun Violence, told ThinkProgress that U.S.-Russian economic ties, rather than gun rights, could be the real aim of The Right to Bear Arms. "I think the important thing is all those involved with this are close with Putin. If Putin wanted more guns in Russia, he doesn't need to develop an NRA in Russia to push him," he observed.

"What are the NRA officials doing cavorting around with people close to Putin? The NRA says they're the nation's oldest civil rights group. I could see them being in line with dissidents in Russia, who are out of power, discriminated against, and subjugated by the Russian government," he continued. "But the idea that the NRA is running around with someone who is basically a dictator -- the question is why. The people he's running around with are all about removing sanctions on drilling and other things. I think this is more about getting out to the American Right the views about lifting the sanctions than anything about gun rights."

Josh Sugarmann, executive director of the Violence Policy Center, added that the sanctions could be of key interest to the NRA's financial backers as well. "The NRA is a gun industry trade association masquerading as a shooting sports foundation," he observed. "The organization has received tens of millions of dollars in gun industry financial support from around the globe and has partnered with gunmakers on a wide range of marketing efforts. The NRA's reasoning in working to establish a Russian beachhead could range from working to end Obama Administration sanctions that ban the import of Russian-made AK-47s and assault shotguns to

hoping for new financial donors as the result of a loosening of the country's gun laws."

Butina told ThinkProgress in an email that there are no financial connections between the American and Russian groups. "The Right to Bear Arms and your American NRA are completely separate organizations. We have no political or financial ties of any kind," she wrote, adding that they are "literally 'comrades in arms' in a shared belief that a right to own a firearm makes people safer."

"I'm sorry to disappoint you," she wrote, "but there is no international conspiracy at work surrounding the organization I founded, 'The Right to Bear Arms.'" She added that her group's payments for Sheriff Clarke's visit and others in the NRA delegation were "something any decent host would do when friends visit," but did not respond to questions about whether other American politicians had also been brought to Moscow at the group's expense.

The National Rifle Association and Torshin did not respond to ThinkProgress inquiries about their relationship.

Now with Trump and Putin agreeing to normalize relations in the coming year, expect the already close relations between Trump's friends at the NRA and Putin's friends at The Right to Bear Arms to be closer still. Perhaps it will become evident just what these two groups are really up to.

Why has the NRA been cozying up to Russia?

Page 12 of 13

Why has the NRA been cozying up to Russia?

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DECLASSIFIED BY: NSICG [REDACTED]  
ON 06-17-2019

FD-302 (Rev. 5-8-10)

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~~SECRET//ORCON/NOFORN~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/15/2017

## DRAFT DOCUMENT/DELIBERATIVE MATERIAL

Do not disseminate outside the FBI without the permission of the originator or program manager.

(U) ~~SECRET//ORCON/NOFORN~~ On January 24, 2017, Deputy Assistant Director (DAD) Peter P. Strzok II and [REDACTED] interviewed United States (U.S.) National Security Advisor Michael T. FLYNN, date of birth (DOB) [REDACTED] at his office at the White House. After being advised of the identities of the interviewing agents and the nature of the interview, FLYNN provided the following information:

b6 -1,-2  
b7C -1,-2

(U) ~~SECRET//ORCON/NOFORN~~ FLYNN's first invitation to Russia occurred when he was the Director of the Defense Intelligence Agency (DIA). FLYNN was the first DIA Director to be invited to GRU headquarters. During that four day trip in 2013, he participated in a leadership development program at GRU (Russian Military Intelligence) headquarters. FLYNN received proper authorization within the U.S. Government prior to conducting the trip. FLYNN could not recall if he met Russia's Ambassador to the United States, Sergey Ivanovich KISLYAK, during this trip. FLYNN described the Russians as very appreciative of his visit. During this trip to Russia as DIA Director, FLYNN first met the then-GRU Director Igor SERGUN. Following the trip, FLYNN and SERGUN continued their relationship on at least one occasion through video teleconference (VTC) and were planning a visit for SERGUN to travel to the United States on February 28, 2014. Russia invaded Crimea in the weeks prior to SERGUN's planned trip, SERGUN's trip was cancelled, and FLYNN had no further contact with the GRU Director. FLYNN described SERGUN as having common ground with FLYNN in that they had similar backgrounds, their sons were the same age, and they had a connection in fighting terrorism. SERGUN had scars from Chechnya and they shared stories about Afghanistan. FLYNN stated he called Ambassador KISLYAK following SERGUN's death in

Reason: 1.4(b)  
Derived from: FBI  
NSICG-20090817  
Declassify on: 20421231  
~~SECRET//ORCON/NOFORN~~

b3 -1  
b6 -1  
b7C -1  
b7E -1

Investigation on 01/24/2017 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 01/24/2017

by [REDACTED] STRZOK PETER P II

17-cv-397-1

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.



~~SECRET//ORCON//NOFORN~~b3 -1  
b7E -1Continuation of FD-302 of ~~SECRET//ORCON//NOFORN~~ Michael Flynn, On 01/24/2017, Page 2 of 5

(U) ~~SECRET//ORCON//NOFORN~~ Lebanon early last year to express his condolences. FLYNN described SERGUN as someone the U.S. could work with. FLYNN said he was not really part of the TRUMP campaign at the time of this call to KISLYAK.

(U) ~~SECRET//ORCON//NOFORN~~ FLYNN stated his second trip to Russia, after he left U.S. government service, had received so much press attention that "it [was] unbelievable." As background, FLYNN explained that he was never paid directly by media entities, however, he had been a contributor to a variety of media entities including Al Jazeera, Russia Today (RT), Sky, and MSNBC. FLYNN received a request from his speakers bureau, Leading Authorities (LAI), to speak about Middle East issues at the RT 10th Anniversary reception in Moscow. FLYNN was paid for the speech by LAI. FLYNN did not know from whom LAI received payment. FLYNN met with KISLYAK at the Russian Ambassador's residence next to the University Club prior to this trip to Russia. The visit was a courtesy call to the Ambassador prior to his trip, and FLYNN took his son with him to this meeting. The meeting occurred in the mid-afternoon. In addition, FLYNN received a DIA threat briefing prior to the travel.

(U) ~~SECRET//ORCON//NOFORN~~ Prior to the Presidential inauguration, FLYNN spoke to multiple representatives in each of approximately thirty countries' governments. FLYNN stated the only exception to that practice was Russia, in that FLYNN had substantive conversations only with KISLYAK, and no other members of the Government of Russia. FLYNN's interest in Russia was as a common partner in the war on terror. FLYNN does not know if PUTIN and TRUMP will get along, but it is FLYNN's job to figure out paths to work with Russia to fight terrorism. FLYNN named the primary threats to the U.S. as the "four plus one:" China, Russia, Iran, North Korea and ISIS. FLYNN stated if the U.S. could neutralize one of the four, or even better, leverage their cooperation fighting a common enemy such as terrorism, that would be a success for U.S. national security.

(U) ~~SECRET//ORCON//NOFORN~~ Sometime prior to Christmas, 2016, the Russian Ambassador to Turkey was assassinated. FLYNN called KISLYAK the next day to say he was sorry and to reinforce that terrorism was our common problem. FLYNN noted that it was a short call, and "that was it." On Christmas Day, a Russian military plane crashed and killed all on board to include what was the equivalent to the "Russian USO;" it was the same Russian choir that sang at the RT event. FLYNN called KISLYAK to pass his condolences, as his intent was to try to keep the relationship with KISLYAK going. FLYNN expanded that he has no particular affinity for Russia, but that KISLYAK was his

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~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1Continuation of FD-302 of ~~(S//NF)~~ Michael Flynn, On 01/24/2017, Page 3 of 5

(U) ~~(S//NF)~~ counterpart, and maintaining trusted relationships within foreign governments is important.

(U) ~~(S//NF)~~ Shortly after Christmas, 2016, FLYNN took a vacation to the Dominican Republic with his wife. On December 28th, KISLYAK sent FLYNN a text stating, "Can you call me?" FLYNN noted cellular reception was poor and he was not checking his phone regularly, and consequently did not see the text until approximately 24 hours later. Upon seeing the text, FLYNN responded that he would call in 15-20 minutes, and he and KISLYAK subsequently spoke. The Dominican Republic was one hour ahead of the time in Washington, D.C. During the call, KISLYAK asked FLYNN to set-up a VTC between President-elect TRUMP and Russian President PUTIN on January 21st. In addition, FLYNN and KISLYAK discussed the U.S. sending an observer to a terrorism conference in Astana, Kazakhstan, that would be attended by Russia, Turkey, Iran and Syrian opposition groups. FLYNN stated he did not respond back to KISLYAK about the conference until probably this week. FLYNN did not make the decision on who would represent the U.S. until the 20th or 21st of January, and finally determined an observer from the U.S. Embassy in Astana would attend. FLYNN noted Russia wanted to take the lead for peace in the Middle East, but the U.S. needed to be the leader, particularly to keep Turkey under the U.S.'s wing. FLYNN added there was a complete lack of engagement from the prior administration.

(U) ~~(S//NF)~~ The interviewing agents asked FLYNN if he had any other text, email, or personal meetings with KISLYAK or other Russians. FLYNN volunteered that after the election, he had a closed door meeting with KISLYAK and Jared KUSHNER at Trump Tower in New York City. KISLYAK was in New York to meet with his diplomats, and the three had a relatively sensitive meeting. FLYNN was a late addition to the meeting and did not participate in setting it up. FLYNN believed the meeting took place before Thanksgiving but was unsure of the date. FLYNN explained that other meetings between the TRUMP team and various foreign countries took place prior to the inauguration, and were sensitive inasmuch as many countries did not want the then-current administration to know about them. There were no personal relationships between the leaders of many countries and the prior administration. FLYNN stated that he and personnel from the incoming administration met with many countries "to set expectations for them, and the expectations were set very high."

(U) ~~(S//NF)~~ The interviewing agents asked FLYNN if he recalled any discussions with KISLYAK about a United Nations (UN) vote surrounding the issue of Israeli settlements. FLYNN quickly

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17-cv-397-3

~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1Continuation of FD-302 of ~~SECRET//ORCON/NOFORN~~ Michael Flynn, On 01/24/2017, Page 4 of 5

(U) ~~SECRET//ORCON/NOFORN~~ responded, "Yes, good reminder." On the 22nd of December, FLYNN called a litany of countries to include Israel, the UK, Senegal, Egypt, maybe France and maybe Russia/KISLYAK. Part of the reason for FLYNN's calls was to conduct an exercise to see how fast the incoming administration could get someone on the line. FLYNN likened it to a battle drill to see who the administration could reach in a crisis. The exercise was conducted at the campaign's GSA transition building on 18th and I Streets N.W., which FLYNN described as a somewhat chaotic environment. FLYNN stated he conducted these calls to attempt to get a sense of where countries stood on the UN vote, specifically, whether they intended to vote or abstain.

(U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he made any request of KISLYAK to vote in a particular way or take any action. FLYNN stated he did not. FLYNN stated he did not believe his calls to the various countries would change anything. FLYNN recalled there needed to be a certain number of abstention votes to alter the outcome, and that having looked at the math at the time, he knew it could not be achieved. FLYNN said 14 countries were voting, and had a recollection of the number of five votes being important. In the end, only the U.S. abstained. FLYNN stated his calls were about asking where countries would stand on a vote, not any requests of, "hey if you do this."

(U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he made any comment to KISLYAK about voting in a certain manner, or slowing down the vote, or if KISLYAK described any Russian response to a request by FLYNN. FLYNN answered, "No." FLYNN stated the conversations were along the lines of where do you stand, and what's your position. FLYNN heard through other channels that Egypt did not like the vote, and believed the Egyptians of their own accord delayed the vote a day. FLYNN again stated that he appreciated the interviewing agents reminding him that he had another conversation with KISLYAK.

(U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he recalled any conversation with KISLYAK surrounding the expulsion of Russian diplomats or closing of Russian properties in response to Russian hacking activities surrounding the election. FLYNN stated that he did not. FLYNN reiterated his conversation was about the PUTIN/TRUMP VTC and the "Astana thing" (the Kazakhstan conference described earlier). FLYNN noted he was not aware of the then-upcoming actions as he did not have access to television news in the Dominican Republic and his government BlackBerry was not working.

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17-cv-397-4

~~SECRET//ORCON/NOFORN~~

(U) [REDACTED] Michael Flynn, On 01/24/2017, Page 5 of 5  
 Continuation of FD-302 of ~~SECRET//ORCON/NOFORN~~

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(U) ~~(S//NF)~~ The interviewing agents asked FLYNN if he recalled any conversation with KISLYAK in which the expulsions were discussed, where FLYNN might have encouraged KISLYAK not to escalate the situation, to keep the Russian response reciprocal, or not to engage in a "tit-for-tat." FLYNN responded, "Not really. I don't remember. It wasn't, 'Don't do anything.'" The U.S. Government's response was a total surprise to FLYNN. FLYNN did not know about the Persona Non-Grata (PNG) action until it was in the media. KISLYAK and FLYNN were starting off on a good footing and FLYNN was looking forward to the relationship. With regard to the scope of the Russians who were expelled, FLYNN said he did not understand it. FLYNN stated he could understand one PNG, but not thirty-five.

(U) ~~(S//NF)~~ The interviewing agents asked FLYNN if he recalled any conversation with KISLYAK in which KISLYAK told him the Government of Russia had taken into account the incoming administration's position about the expulsions, or where KISLYAK said the Government of Russia had responded, or chosen to modulate their response, in any way to the U.S.'s actions as a result of a request by the incoming administration. FLYNN stated it was possible that he talked to KISLYAK on the issue, but if he did, he did not remember doing so. FLYNN stated he was attempting to start a good relationship with KISLYAK and move forward. FLYNN remembered making four to five calls that day about this issue, but that the Dominican Republic was a difficult place to make a call as he kept having connectivity issues. FLYNN reflected and stated he did not think he would have had a conversation with KISLYAK about the matter, as he did not know the expulsions were coming. FLYNN stated he did not have a long drawn out discussion with KISLYAK where he would have asked him to "don't do something."

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17-cv-397-5

DECLASSIFIED BY: NSIC [redacted]  
ON 06-17-2019

FD-302 (Rev. 5-8-10)

- 1 of 5 -

~~SECRET//ORCON/NOFORN~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/31/2017

(U) ~~(S)~~ On January 24, 2017, Deputy Assistant Director (DAD) Peter P. SRRZok II and [REDACTED] interviewed United States (U.S.) National Security Advisor Michael T. FLYNN, date of birth (DOB) [REDACTED] at his office at the White House. After being advised of the identities of the interviewing agents and the nature of the interview, FLYNN provided the following information:

b6 -1,-2  
b7C -1,-2

(U) ~~(S)~~ FLYNN's first invitation to Russia occurred when he was the Director of the Defense Intelligence Agency (DIA). FLYNN was the first DIA Director to be invited to GRU headquarters. During that four day trip in 2013, he participated in a leadership development program at GRU (Russian Military Intelligence) headquarters. FLYNN received proper authorization within the U.S. Government prior to conducting the trip. FLYNN could not recall if he met Russia's Ambassador to the United States, Sergey Ivanovich KISLYAK, during this trip. FLYNN described the Russians as very appreciative of his visit. During this trip to Russia as DIA Director, FLYNN first met the then-GRU Director Igor SERGUN. Following the trip, FLYNN and SERGUN continued their relationship on at least one occasion through video teleconference (VTC) and were planning a visit for SERGUN to travel to the United States on February 28, 2014. Russia invaded Crimea in the weeks prior to SERGUN's planned trip, SERGUN's trip was cancelled, and FLYNN had no further contact with the GRU Director. FLYNN described SERGUN as having common ground with FLYNN in that they had similar backgrounds, their sons were the same age, and they had a connection in fighting terrorism. SERGUN had scars from Chechnya and they shared stories about Afghanistan. FLYNN stated he called Ambassador KISLYAK following SERGUN's death in Lebanon early last year to express his condolences. FLYNN described SERGUN as someone the U.S. could work with. FLYNN said he was not really part of the TRUMP campaign at the time of this call to KISLYAK.

Season: 1.4 (b)

~~Derived From: FBI NSISC-~~

20090613

~~Declassify On: 20421231~~

~~SECRET / ORCON / NOFORN~~

Investigation on 01/24/2017 at Washington, District Of Columbia, United States (In Person)

File # \_\_\_\_\_ Date drafted 01/24/2017

by	STRZOK PETER P II
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17-cv-397-6

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1(U) Continuation of FD-302 of ~~SECRET//ORCON/NOFORN~~ Michael Flynn, On 01/24/2017, Page 2 of 5

(U) ~~SECRET//ORCON/NOFORN~~ FLYNN stated his second trip to Russia, after he left U.S. government service, had received so much press attention that "it [was] unbelievable." As background, FLYNN explained that he was never paid directly by media entities, however, he had been a contributor to a variety of media entities including Al Jazeera, Russia Today (RT), Sky, and MSNBC. FLYNN received a request from his speakers bureau, Leading Authorities (LAI), to speak about Middle East issues at the RT 10th Anniversary reception in Moscow. FLYNN was paid for the speech by LAI. FLYNN did not know from whom LAI received payment. FLYNN met with KISLYAK at the Russian Ambassador's residence next to the University Club prior to this trip to Russia. The visit was a courtesy call to the Ambassador prior to his trip, and FLYNN took his son with him to this meeting. The meeting occurred in the mid-afternoon. In addition, FLYNN received a DIA threat briefing prior to the travel.

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(U) ~~SECRET//ORCON/NOFORN~~ Sometime prior to Christmas, 2016, the Russian Ambassador to Turkey was assassinated. FLYNN called KISLYAK the next day to say he was sorry and to reinforce that terrorism was our common problem. FLYNN noted that it was a short call, and "that was it." On Christmas Day, a Russian military plane crashed and killed all on board to include what was the equivalent to the "Russian USO;" it was the same Russian choir that sang at the RT event. FLYNN called KISLYAK to pass his condolences, as his intent was to try to keep the relationship with KISLYAK going. FLYNN expanded that he has no particular affinity for Russia, but that KISLYAK was his counterpart, and maintaining trusted relationships within foreign governments is important.

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~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1(U) Continuation of FD-302 of ~~SECRET//ORCON/NOFORN~~ Michael Flynn, On 01/24/2017, Page 3 of 5

(U) ~~SECRET//ORCON/NOFORN~~ Shortly after Christmas, 2016, FLYNN took a vacation to the Dominican Republic with his wife. On December 28th, KISLYAK sent FLYNN a text stating, "Can you call me?" FLYNN noted cellular reception was poor and he was not checking his phone regularly, and consequently did not see the text until approximately 24 hours later. Upon seeing the text, FLYNN responded that he would call in 15-20 minutes, and he and KISLYAK subsequently spoke. The Dominican Republic was one hour ahead of the time in Washington, D. C. During the call, KISLYAK asked FLYNN to set-up a VTC between President-elect TRUMP and Russian President PUTIN on January 21st. In addition, FLYNN and KISLYAK discussed the U.S. sending an observer to a terrorism conference in Astana, Kazakhstan, that would be attended by Russia, Turkey, Iran and Syrian opposition groups. FLYNN stated he did not respond back to KISLYAK about the conference until probably this week. FLYNN did not make the decision on who would represent the U.S. until the 20th or 21st of January, and finally determined an observer from the U.S. Embassy in Astana would attend. FLYNN noted Russia wanted to take the lead for peace in the Middle East, but the U.S. needed to be the leader, particularly to keep Turkey under the U.S.'s wing. FLYNN added there was a complete lack of engagement from the prior administration.

(U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he had any other text, email, or personal meetings with KISLYAK or other Russians. FLYNN volunteered that after the election, he had a closed door meeting with KISLYAK and Jared KUSHNER at Trump Tower in New York City. KISLYAK was in New York to meet with his diplomats, and the three had a relatively sensitive meeting. FLYNN was a late addition to the meeting and did not participate in setting it up. FLYNN believed the meeting took place before Thanksgiving but was unsure of the date. FLYNN explained that other meetings between the TRUMP team and various foreign countries took place prior to the inauguration, and were sensitive inasmuch as many countries did not want the then-current administration to know about them. There were no personal relationships between the leaders of many countries and the prior administration. FLYNN stated that he and personnel from the incoming administration met with many countries "to set expectations for them, and the expectations were set very high."

(U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he recalled any discussions with KISLYAK about a United Nations (UN) vote surrounding the issue of Israeli settlements. FLYNN quickly

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17-cv-397-8

~~SECRET//ORCON/NOFORN~~b3 -1  
b7E -1Continuation of FD-302 of ~~SECRET//ORCON/NOFORN~~ Michael Flynn, On 01/24/2017, Page 4 of 5

- (U) ~~SECRET//ORCON/NOFORN~~ responded, "Yes, good reminder." On the 22nd of December, FLYNN called a litany of countries to include Israel, the UK, Senegal, Egypt, maybe France and maybe Russia/KISLYAK. Part of the reason for FLYNN's calls was to conduct an exercise to see how fast the incoming administration could get someone on the line. FLYNN likened it to a battle drill to see who the administration could reach in a crisis. The exercise was conducted at the campaign's GSA transition building on 18th and I Streets N.W., which FLYNN described as a somewhat chaotic environment. FLYNN stated he conducted these calls to attempt to get a sense of where countries stood on the UN vote, specifically, whether they intended to vote or abstain.
- (U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he made any request of KISLYAK to vote in a particular way or take any action. FLYNN stated he did not. FLYNN stated he did not believe his calls to the various countries would change anything. FLYNN recalled there needed to be a certain number of abstention votes to alter the outcome, and that having looked at the math at the time, he knew it could not be achieved. FLYNN said 14 countries were voting, and had a recollection of the number of five votes being important. In the end, only the U.S. abstained. FLYNN stated his calls were about asking where countries would stand on a vote, not any requests of, "hey if you do this."
- (U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he made any comment to KISLYAK about voting in a certain manner, or slowing down the vote, or if KISLYAK described any Russian response to a request by FLYNN. FLYNN answered, "No." FLYNN stated the conversations were along the lines of where do you stand, and what's your position. FLYNN heard through other channels that Egypt did not like the vote, and believed the Egyptians of their own accord delayed the vote a day. FLYNN again stated that he appreciated the interviewing agents reminding him that he had another conversation with KISLYAK.
- (U) ~~SECRET//ORCON/NOFORN~~ The interviewing agents asked FLYNN if he recalled any conversation with KISLYAK surrounding the expulsion of Russian diplomats or closing of Russian properties in response to Russian hacking activities surrounding the election. FLYNN stated that he did not. FLYNN reiterated his conversation was about the PUTIN /TRUMP VTC and the "Astana thing" (the Kazakhstan conference described earlier). FLYNN noted he was not aware of the then-upcoming actions as he did not have access to television news in

~~SECRET//ORCON/NOFORN~~

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~~SECRET//ORCON/NOFORN~~

(U)  Continuation of FD-302 of ~~(S//NF)~~ Michael Flynn, On 01/24/2017, Page 5 of 5 b3 -1  
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the Dominican Republic and his government BlackBerry was not working.

(U) ~~(S//NF)~~ The interviewing agents asked FLYNN if he recalled any conversation with KISLYAK in which the expulsions were discussed, where FLYNN might have encouraged KISLYAK not to escalate the situation, to keep the Russian response reciprocal, or not to engage in a "tit-for-tat." FLYNN responded, "Not really. I don't remember. It wasn't, 'Don't do anything.'" The U.S. Government's response was a total surprise to FLYNN. FLYNN did not know about the Persona Non-Grata (PNG) action until it was in the media. KISLYAK and FLYNN were starting off on a good footing and FLYNN was looking forward to the relationship. With regard to the scope of the Russians who were expelled, FLYNN said he did not understand it. FLYNN stated he could understand one PNG, but not thirty-five.

(U) ~~(S//NF)~~ The interviewing agents asked FLYNN if he recalled any conversation with KISLYAK in which KISLYAK told him the Government of Russia had taken into account the incoming administration's position about the expulsions, or where KISLYAK said the Government of Russia had responded, or chosen to modulate their response, in any way to the U.S.'s actions as a result of a request by the incoming administration. FLYNN stated it was possible that he talked to KISLYAK on the issue, but if he did, he did not remember doing so. FLYNN stated he was attempting to start a good relationship with KISLYAK and move forward. FLYNN remembered making four to five calls that day about this issue, but that the Dominican Republic was a difficult place to make a call as he kept having connectivity issues. FLYNN reflected and stated he did not think he would have had a conversation with KISLYAK about the matter, as he did not know the expulsions were coming. FLYNN stated he did not have a long drawn out discussion with KISLYAK where he would have asked him to "don't do something."

~~SECRET//ORCON/NOFORN~~

17-cv-397-10



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D.C. 20535

November 1, 2019

MR. JASON LEOPOLD  
BUZZFEED  
C/O MERRICK JASON WAYNE  
MATTHEW TOPIC  
LOEVY & LOEVY  
THIRD FLOOR  
311 N. ABERDEN STREET  
CHICAGO, IL 60607

FOIPA Request No.: 1432673-000  
Civil Action No.: 19-cv-01278  
Subject: All 302's of individuals who were  
questioned/interviewed by FBI Agents working for the  
Office of Special Counsel Robert Mueller

Dear Mr. Leopold:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find checked boxes under applicable statutes for the exemptions asserted to protect information exempt from disclosure. The appropriate exemptions are noted on the processed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely pursuant to applicable exemptions. An Explanation of Exemptions is enclosed to further explain justification for withheld information.

**Section 552**☒ (b)(1)☐ (b)(2)☒ (b)(3)Federal Rules ofCriminal Procedure 6(e)50 U.S.C § 3024(i)☐ (b)(4)☒ (b)(5)☒ (b)(6)☒ (b)(7)(A)☒ (b)(7)(B)☒ (b)(7)(C)☐ (b)(7)(D)☒ (b)(7)(E)☐ (b)(7)(F)☐ (b)(8)☐ (b)(9)**Section 552a**☐ (d)(5)☐ (j)(2)☐ (k)(1)☐ (k)(2)☐ (k)(3)☐ (k)(4)☐ (k)(5)☐ (k)(6)☐ (k)(7)

503 pages were reviewed and 266 pages are being released.

- ☒ Deletions were made by the Department of Justice/Office of Information Policy. To appeal those denials, please write directly to that agency.

Please see the paragraphs below for relevant information specific to your request and the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- ☒ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- ☐ This information has been referred to the OGA(s) for review and direct response to you.
- ☒ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. **"Part 1"** of the Addendum includes standard responses that apply to all requests. **"Part 2"** includes additional standard responses that apply to all requests for records on individuals. **"Part 3"** includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

Although your request is in litigation, we are required by law to provide you the following information:

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, D.C. 20001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Please direct any further inquiries about this case to the Attorney representing the Government in this matter. Please use the FOIPA Request Number and/or Civil Action Number in all correspondence or inquiries concerning your request.

- ☒ See additional information which follows.

Sincerely,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division

Enclosures

**Additional Information:**

In response to your Freedom of Information/Privacy Acts (FOIPA) request, enclosed is a processed copy of Bates Stamped documents, FBI (19-cv-1278)-1 through FBI (19-cv-1278)-503. The enclosed documents represent the first interim release of information responsive to your request. To minimize costs to both you and the FBI, duplicate copies of the same document were not processed.

## FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum includes information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes additional standard responses that apply to all requests for records on individuals. Part 3 includes general information about FBI records. For questions regarding Parts 1, 2, or 3, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." Previously mentioned appeal and dispute resolution services are also available at the web address.

**Part 1: The standard responses below apply to all requests:**

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIA [5 U.S.C. § 552(c) (2006 & Supp. IV (2010))]. FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the [www.fbi.gov/foia](http://www.fbi.gov/foia) website.
- (ii) **National Security/Intelligence Records.** The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1), (b)(3), and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C § 3024(i)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

**Part 2: The standard responses below apply to all requests for records on individuals:**

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

**Part 3: General Information:**

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. A reasonable search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (FBIHQ), FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide and includes Electronic Surveillance (ELSUR) records. For additional information about our record searches visit [www.fbi.gov/services/information-management/foipa/requesting-fbi-records](http://www.fbi.gov/services/information-management/foipa/requesting-fbi-records).
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheets. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at [www.fbi.gov/about-us/cjis/identity-history-summary-checks](http://www.fbi.gov/about-us/cjis/identity-history-summary-checks). Additionally, requests can be submitted electronically at [www.edo.cjis.gov](http://www.edo.cjis.gov). For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **The National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

## EXPLANATION OF EXEMPTIONS

## SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could reasonably be expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

## SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

FBI/DOJ

## FEDERAL BUREAU OF INVESTIGATION

FOI/PA

## DELETED PAGE INFORMATION SHEET

Civil Action No.: 19-cv-1278 / 19-cv-1626

FOIA: 1432673-000 / 1433273-000

PDF Title: 19-cv-1278 Release 1 Bates 1-503

Total Withheld Pages = 237

Bates Page Reference	Reason for Withholding (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
FBI(19cv1278) 8	b6; b7A; b7B per DOJ/OIP; b7C
FBI(19cv1278) 41	b6; b7A; b7B per DOJ/OIP; b7C
FBI(19cv1278) 44	b6; b7A; b7B per DOJ/OIP; b7C
FBI(19cv1278) 48	b6; b7A; b7B per DOJ/OIP; b7C
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FBI(19cv1278) 80	b5 per DOJ/OIP; b6; b7C
FBI(19cv1278) 81	b5 per DOJ/OIP; b6; b7C
FBI(19cv1278) 84	b5 per DOJ/OIP
FBI(19cv1278) 88	b5 per DOJ/OIP; b6; b7C
FBI(19cv1278) 89	b5 per DOJ/OIP; b6; b7C
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FBI(19cv1278) 95	b5 per DOJ/OIP; b6; b7A; b7B per DOJ/OIP; b7C
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FBI(19cv1278) 109	b5 per DOJ/OIP; b6; b7A; b7B per DOJ/OIP; b7C

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FBI(19cv1278) 114	b5 per DOJ/OIP; b6; b7A; b7C
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Bates Page Reference	Reason for Withholding (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
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FBI(19cv1278) 411	Duplicate
FBI(19cv1278) 412	Duplicate

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FBI(19cv1278) 448	b5 per DOJ/OIP; b6; b7C
FBI(19cv1278) 449	b5 per DOJ/OIP; b6; b7C
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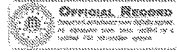
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FD-302 (Rev. 5-8-10)

- 1 of 6 -

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/10/2018

Richard Gates, was interviewed at 395 E Street SW, Washington, D.C.  
 Present for the interview were SA [REDACTED] ASAC [REDACTED]  
 [REDACTED] Senior Assistant Special Counsel (SASC) Greg Andres, SASC  
 Jeannie Rhee, SASC Andrew Weissmann, Assistant Special Counsel (ASC) Aaron  
 Zelinsky, and IA [REDACTED] After being advised of the official  
 identities of the interviewing parties and the nature of the interview,  
 Gates provided the following information:

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Gates began the interview by advising [REDACTED]  
 [REDACTED] were not happy with Gates's cooperation with the Special  
 Counsel's investigation.

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[REDACTED]

[REDACTED]

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[REDACTED]

[REDACTED]

[REDACTED]

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Investigation on 04/10/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 04/24/2018

by [REDACTED]

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(U//FOUO) Richard Gates Interview 04/10

Continuation of FD-302 of [redacted] /2018, On 04/10/2018, Page 2 of 6

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b7B Per DOJ/OIP  
b7Cb6  
b7A  
b7B Per DOJ/OIP  
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[redacted] [Note: On 06/12/2016, Assange stated he had  
"upcoming leaks in relation to Hillary Clinton... We have emails pending  
publication."].

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[redacted] Gates said as of May 2016, h  
(Gates) was not aware of the source of the hack.

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(U//FOUO) Richard Gates Interview 04/10  
Continuation of FD-302 of /2018, On 04/10/2018, Page 3 of 6

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[Note: On or about 06/27/2016, DNC emails were posted by DCLeaks].

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(U//FOUO) Richard Gates Interview 04/10

Continuation of FD-302 of /2018 , On 04/10/2018 , Page 4 of 6

b6  
b7Ab7B Per DOJ/OIP  
b7CCampaign Response to Hacked Emailsb6  
b7Ab7B Per DOJ/OIP  
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Gates said there was also an inside job theory about how the emails were obtained fueled by the death of Seth Rich [Note: Seth Conrad Rich was an employee of the DNC who was fatally shot in Washington, D.C. on 07/10/2016]. Gates said he was never present at any talks suggesting the campaign push the inside job theory. The Trump campaign team also thought the Democrats were pushing the Russia narrative.

Gates said Donald Trump Jr. would ask where the emails were in family meetings. Michael Flynn, Kushner, Manafort, [REDACTED] Lewandowski, Jeff Sessions, and Sam Clovis expressed interest in obtaining the emails as well. Gates said the priority focuses of the Trump campaign opposition research team were Clinton's emails and contributions to the Clinton Foundation. Flynn, [REDACTED] Sessions, Kushner, and Trump Jr. were all focused on opposition topics.

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Gates said interest in the emails was ratcheting up in the April/May 2016 timeframe because it was likely the emails could help Trump's campaign.

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b7Ab7B Per DOJ/OIP  
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Trump Jr. never communicated anything about the 06/09/2016 meeting with Gates. After the news broke about the 06/09/2016 meeting, Manafort asked Gates if he (Gates) was there. [Note: The 06/09/2016 meeting is a reference to a meeting that took place at Trump Tower arranged on the

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(U//FOUO) Richard Gates Interview 04/10  
Continuation of FD-302 of /2018 , On 04/10/2018 , Page 5 of 6

pretense that documents and information that would incriminate Hillary Clinton would be provided to the Trump campaign by a Russian government attorney later identified as Natalia Veselnitskaya]

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b7B Per DOJ/OIP  
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Gates said Trump was interested in the emails but remained composed with a healthy skepticism.

Gates recalled communication with Reince Preibus and [REDACTED] The RNC was energized by Assange's announcement on 06/12/2016. Gates indicated that based on a conversation with Manafort, Gates knew the RNC was going to run the Wikileaks issue to ground, they had more resources to commit to this effort. Trump and Kushner were initially skeptical about cooperating with the RNC, but the Wikileaks issue was a turning point.

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Gates described the campaign response to the report as euphoric.

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Gates said the RNC would put out press releases that would serve to amplify the Wikileaks releases. The RNC also indicated they knew the timing of the upcoming releases, Gates did not specify who at the RNC knew this information. Gates said the only non-public information the RNC had was related to the timing of the releases.

Gates recalled a time on the campaign aircraft when candidate Trump said, "get the emails." Flynn said he could use his intelligence sources to obtain the emails. Flynn was adamant the Russians did not carry out the hack. To support this theory Flynn advised, based on his experience, the United States Intelligence Community (USIC) was not capable of figuring it out. Gates opined that Flynn's assessment of the USIC derived from the negative way in which Flynn departed the USIC. Gates said Flynn had the most Russia contacts of anyone on the campaign and was in the best position to ask for the emails if they were out there.

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(U//FOUO) Richard Gates Interview 04/10  
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Gates advised Trump Jr. and Manafort also had contacts with, "Russia types." Gates clarified by saying Manafort's connection with Russians was minimal aside from his relationship with Oleg Deripaska. Gates said Manafort primarily had contacts with Ukrainians. Gates recalled Manafort saying the hack was likely carried out by the Ukrainians, not the Russians, which parroted a narrative Kilimnik often supported. Kilimnik also opined the hack could have been perpetrated by Russian operatives in Ukraine.

Gates said based on prior business dealings, Kushner had the best China contacts. Manafort and Gates had discussions pertaining to Kushner's Chinese contacts. Gates said there were numerous foreign requests to meet Trump after the nomination was secured.

At some point, there was speculation the Mossad might have the emails. Gates said there was never any mention of the Saudis or the Emirates having the emails. Manafort was generally skeptical of any offers of information coming to the campaign's attention.

For example, Gates said there was a group of realtors from Kyrgyzstan claiming to have information that may be of use to the campaign. The information pertained to foreign contributions to the Clinton campaign.

Gates said he never heard about the emails or dirt from George Papadopoulos.

Gates said, during the campaign, Trump and Manafort talked to Sean Hannity in their offices often.

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☐ (KAR) ☐ (SA)  
AMW

1/10/2018

R6:

[Redacted]

with me [unclear]

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[Redacted]

[Redacted]

[Redacted]

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6/2/2016: [unclear] [unclear] [unclear]

[Redacted]

[Redacted]

[Redacted]

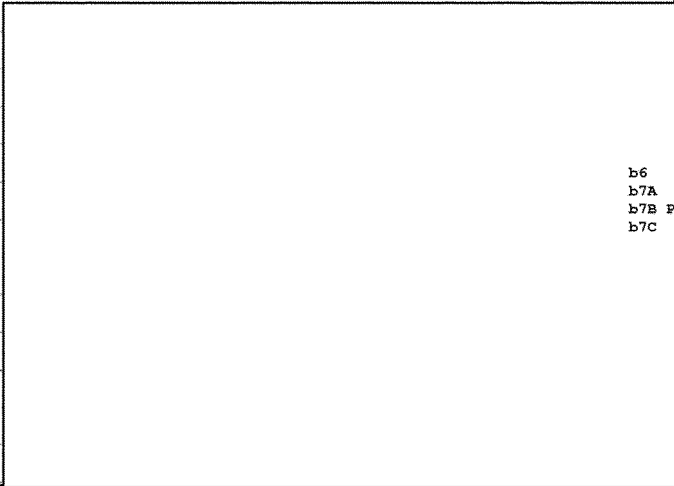
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4/10/2018

1



not pleased w RG cooperation

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RG not aware in May 2016 source of hack

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b7B Per DOJ/OIP  
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- Don Jr. would bring up in family meetings, where are the emails?

(2)

- Flynn, Kushner, Dan Jr., PM, [REDACTED] CL, SC, Sessions expressed interest in obtaining emails

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- Sessions: Hopefully we can get the emails
- RG did not hear from GP information re: emails/dirt
- April/May rekindling up of interest bc emails could help campaign

★ Mid/late May Sessions/

★ Was walking this only effort to obtain emails ★

- ★ • Kyrgyzstan realtors claiming to have information

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b7B Per DOJ/OIP  
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- Based on business dealings, JK had back China contacts
  - PM & RG had discussion pertaining to JK Chinese contacts
  - Foreign requests to meet DJT once nomination was secured
- Dan Jr had more contacts w/ Russia types, PM as well
  - PM said its probably Ukrainians not Russians
  - parroted KK's theory
  - KK said it could be Russian operatives in Ukraine

3

- At some point, speculation Messad might have emails
- Ne mention sand or UAE might have emails
- Kyrgyzstan's wealth offered info re foreign contributions to HRC
- PM was skeptical of offer of information

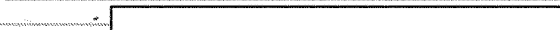
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- PM's relationship w/ Russians other than Danipenko was minimal
- contact was primarily w/ Ukrainians



- KK told PM it wasn't the Russians, RG said PM didn't follow up



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b7B Per DOJ/OIP  
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- Sense of skepticism re: track record of wks



- Comm w/ Rance Rabin & [redacted]

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- RNC was energized by June 12 announcement

(4)

- RNC was going to run wiki issue to ground, had more resources
  - effort to get emails / materials
  - based on conversation w/ PM
  - DJT a bit skeptical of cooperating w/ RNC, turning point

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b7B Per DOJ/OIP  
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- Family meetings typically 45 mins - 1 hour

- DJT was interested but tempered, healthy skepticism
  - PM presented as a first time RNC could help
- RNC put out press release, amplified Wiki releases
- RNC ~~spoke~~ indicated they knew timing of upcoming wiki releases
  - RG got info from PM
  - only not public info RNC has is timing of releases
- Flynn says "here is what my intel sources are saying" re: emails
  - talking re candidate
  - why? intel community just not that good
  - never a read out of what Flynn may have obtained
- Inside job theory fueled by Seth Rich death and DHS efforts to minimize and cover up problems. Theory was Dirr pushing Russia narrative
- DJT, PM talking to Sean Hannity, in office quite a bit
- No talks RG was in that suggested pushing inside job theory

on flight



5

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April 2016

May 18

July 6



6

- Foreign entit<sup>camp</sup> to CF brought up at June 9 meeting
- Emails + CF entitb four of what camp could use
- Priority oppo items
- Flynn, [redacted], Sessions, JK, Don Jr. all focused on oppo topics
- Don Jr. never communicated anything about June 9 meeting  
PM, JK
- After news broke, PM asked EG if he was in June 9 meeting

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b7B Per DOJ/OIP  
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★ [redacted] ★

[redacted]

June 2016

[redacted]

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7

June 15

June 20

June 23

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(8)

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June 27

• DNC email posted by DCLeaks

[REDACTED]

[REDACTED]

[REDACTED]

★ [REDACTED] ★

[REDACTED]

16

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Document ID: 0.7.4249.603642

From: [REDACTED]  
To: Rick Gates [REDACTED]  
Cc:  
Bcc:  
Subject: Gates  
Date: Wed Jun 15 2016 17:20:55 EDT  
Attachments:

---

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Still need to talk to u--R.

From: [REDACTED]  
To: [REDACTED]  
Subject: Re: Gates  
Date: Wed, 15 Jun 2016 21:19:43 +0000

[REDACTED]

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On Jun 15, 2016, at 5:10 PM, [REDACTED] wrote:

need Jared e-mail...R

From: [REDACTED]  
To: [REDACTED]  
Subject: Re: Gates  
Date: Wed, 15 Jun 2016 20:30:35 +0000

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[REDACTED]  
Jared  
[REDACTED]

On Jun 15, 2016, at 3:30 PM, [REDACTED] wrote:

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I need contact info for [REDACTED]

I need contact info for Jared.

R.

- 1 of 6 -



FEDERAL BUREAU OF INVESTIGATION

Date of entry 11/20/2018

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(U//~~FOUO~~) Interview of Richard Gates 04/11  
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press strategy, a communications campaign, and messaging based on the possibility the emails existed.

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Gates recalled conversations being held within the campaign about what the campaign could plan for in the way of emails.

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Manafort and Gates were focused on mitigating hit pieces against Manafort.

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June 12, 2016 - July 22, 2016

Between 06/12/2016 - 07/22/2016

Manafort and Gates asking when the releases would happen. Trump was frustrated the releases weren't happening. Gates said

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(U//~~FOUO~~) Interview of Richard Gates 04/11  
Continuation of FD-302 of [REDACTED] /2018 , On 04/11/2018 , Page 3 of 6

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Gates said there was a messaging strategy being built around the possible content of an upcoming release.

[REDACTED] Gates indicated there was disagreement on where the information came from within the campaign. Gates does not recall Manafort asking Konstantin Kilimnik (Kilimnik) to reach out to his Russian contacts on the issue, nor did Manafort ask Gates to call Kilimnik. [REDACTED]

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Gates said there was also talk about how to clean up Manafort's lawsuit with Oleg Deripaska (Deripaska) and clean up his image in the media. Gates said Jared Kushner (Kushner) supported Manafort and that Manafort would not have lasted without it.

#### July 22, 2016

Gates said the campaign was very happy about the release by WikiLeaks on 07/22/2016. Trump was advised not to react to the releases and let it play out. Gates indicated [REDACTED]

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b7B per DOJ/OIP  
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[REDACTED] and Manafort expressing excitement [REDACTED] there would be additional information coming, however, Gates later said he did not recall [REDACTED] saying there would be more [REDACTED]

Gates said after the WikiLeaks release on 07/22/2016, there was a pivot to "how do we use the released information" [REDACTED] Gates reiterated that he did not believe [REDACTED] Gates initially said he did not have conversations with [REDACTED] after 07/22/2016 about additional information becoming available, [REDACTED]

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[REDACTED] after the 07/22 /2016 release.

Late July - 08/19/2016

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(U//~~FOUO~~) Interview of Richard Gates 04/11  
Continuation of FD-302 of /2018, On 04/11/2018, Page 4 of 6

[Agent Note: Manafort resigned from  
the campaign on 08/19/2016].

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Gates said the campaign was trying to work with the RNC opposition research team.

Gates said Trump's comment "Russia if you're listening" on 07/27/2016 was ad lib.

Gates and Manafort spoke about obtaining the missing emails and Gates understood Manafort [redacted] Gates recalled staff meeting conversations about "someone out there has to have the missing emails."

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August 2, 2016

Gates recalled that on or about 08/02/2016, [redacted]

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August 2, 2016 - August 21, 2016

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FD-302a (Rev. 05-08-10)

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Continuation of FD-302 of [REDACTED] /2018, On 04/11/2018, Page 5 of 6

[REDACTED] There was still a more general focus on Clinton's missing emails amongst the campaign team. Gates said no one used land lines because there were no walls. Everyone used cell phones.

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September 2016

b6

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Gates said during September [REDACTED]

b7B per DOJ/OIP

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[REDACTED] the upcoming information narrative. Gates's involvement with the campaign became limited during this timeframe and he began to work with the "digital folks."

October 4, 2016

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October 7, 2016

Gates was not aware of conversations regarding the timing of WikiLeaks releases approximately 45 minutes after the Access Hollywood tape hit the media [REDACTED]

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Rest of October 2016

Gates said the RNC was looking through the releases. The campaign would pull press releases together based on RNC research and media research. There was still a pursuit of the missing emails by the campaign.

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[REDACTED]

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[REDACTED]

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Continuation of FD-302 of /2018, On 04/11/2018, Page 6 of 6

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[REDACTED]

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04/11/2018

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2<sup>nd</sup> statement1<sup>st</sup> statement

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED] HH, RG, PM discussion of press [REDACTED]

Nobody on campaign took action on [REDACTED]

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Kyrgyzstan reactor group

[REDACTED]

[REDACTED]

[REDACTED]

Campaign personnel thought [REDACTED]

Planning a press strategy, camera campaign, messaging based on email [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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(2)

• Conversations, what can we plan for in way of emails.

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

- PM/RG focused on mitigating hit pieces on PM

b6  
b7A  
b7B per DOJ/OIP  
b7C

Encl - 8/19

(3)

Late July - 6/19

b6  
b7A  
b7B per DOJ/OIP  
b7C

- Camp trying to work w/ RNC opps res team
- Didn't focus on Super PAC controls, more camp controls

[redacted]

[redacted] was aware of foreign control to HRC camp

b6  
b7A  
b7B per DOJ/OIP  
b7C

July 22

- Campaign very happy about release
- DJT is advised to not react to release, let it play out

[redacted] PM, excitement [redacted]

[redacted]

[redacted] said there would be additional information

b6  
b7A  
b7B per DOJ/OIP  
b7C

June 12 - July 22

[redacted]

PM [redacted] when release

RG [redacted] when release

- DJT was frustrated release wasn't happening

[redacted]

[redacted]

[redacted]

[redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

(4)

June 12 - July 22

[REDACTED]

b6

b7A

b7B per DOJ/OIP

b7C

[REDACTED]

- messaging strategy being built around poss. release/content

[REDACTED]

- disagreement on where info comes from on camp

- Does not recall PM asking KK to reach out to Russian contacts

- PM did not ask RG to call KK

b6

b7A

b7B per DOJ/OIP

b7C

[REDACTED]

[REDACTED]

- How to clean up low suit w/ Deripaska, clean up image in media

- position PM to work w/ pro-West group in Ukraine

- Financial damages

- Bad PR, Perceles, relationship w/ Deripaska

[REDACTED]

b6

b7C

July 22

- PM

[REDACTED]

b6

b7A

b7B per DOJ/OIP

b7C

- does not recall [REDACTED] saying there would come out



5

July 22

• Pivot to 'how do we use released info' [redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

• RG doesn't believe [redacted]

[redacted] (post 7/22)

• Comment by DJT on 7/27 was odd like "Easier if you're listening."

• No conversation [redacted] post 7/22 about additional information available.

b6  
b7A  
b7B per DOJ/OIP  
b7C

(post 7/22) • R/PM spoke about obtaining missing emails, PM to talk about obtaining [redacted]

• Staff meeting comes about 'someone out there has to have missing emails'

[redacted]

August 2

[redacted]

[redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

Aug 2 - Aug 21

[redacted]

[redacted]

[redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[redacted]

[redacted]

[redacted]

(6)

[REDACTED]

Focus still on missing emails

b6  
b7A  
b7B per DOJ/OIP  
b7C

- RG said no one used landline bc there were no calls
- everyone used cell phones

Oct 4

[REDACTED]

Sept

RG [REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

[REDACTED]

in coming into narrative

- RG was limited in Sept, work becomes w/ digital files

Oct 7

- RG not aware of covers re: timing of release 45 mins after AH tape

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

(7)

Oct 2016

- RNC was looking through releases
- Camp would pull press releases together based on RNC ver and media ver
- Still pursuit of ~~some~~ missing emails by camp

[REDACTED]

b6  
b7C

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

Caputo

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

6/20 Caputo fired

- Projects related to Caputo's current work
- Post 6/20, other side projects

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

- 1 of 8 -

UNCLASSIFIED//~~FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 11/09/2018

Richard William Gates III was interviewed at the offices of Sidley Austin LLP located at 1501 K Street, N.W., Washington, D.C., 20005. Present for the interview were Senior Special Counsel Attorneys (SASC) Andrew Weissmann and Jeannie Rhee, Assistant Special Counsel (ASC) Aaron Zelinsky, and Special Agents [REDACTED] Gates's attorney, Tom Green of Sidley Austin LLP, was also present. After being advised of the identity of the interviewers and the nature of the interview, Gates provided the following information:

June 12, 2016 to July 22, 2016

[Agent Note: According to open sources, on 06/12/2016, Julian Assange (Assange) said during an interview on British television channel ITV that "we have upcoming leaks in relation to Hillary Clinton... we have emails pending publication, that is correct." Assange did not specify when or how many emails would be published.]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]  
[REDACTED] Trump was generally frustrated Clinton's missing emails had not been found. [REDACTED]  
[REDACTED]

UNCLASSIFIED//~~FOUO~~Investigation on 10/25/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date drafted 10/25/2018by [REDACTED]

b6  
b7C  
b7E  
b7A

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UNCLASSIFIED//~~FOUO~~b6  
b7A  
b7B per DOJ/OIP  
b7C  
b7E

(U//FOUO) Interview of Richard Gates 10/25

Continuation of FD-302 of /2018 - , On 10/25/2018 , Page 2 of 8

Manafort was having Gates periodically call [ ] to check in on where the information was and when it would be coming.

Gates recalled a conversation with [ ] prior to 07/22

[ ] told Gates WikiLeaks would be dropping information [ ]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[ ] Gates said the Russia theory was in contradiction to the "inside job" theory that was floated later.

Gates said a messaging strategy was being built in the June/July 2016 timeframe surrounding the upcoming release of information. [ ]

[ ] was building this strategy with Manafort also involved. [ ]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[ ] Clinton's trustworthiness at this time was low.

#### Post July 22, 2016 WikiLeaks Releases

Gates said the campaign was very happy about the WikiLeaks Democratic National Committee (DNC) releases on 07/22/2016. [ ]

b6  
b7A  
b7B per DOJ/OIP  
b7C

Manafort, [ ] were happy from a communications team perspective because it offered a mode of deflection for the campaign after a sink in polling numbers following Trump's comments about Ted Cruz's

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FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~

b6  
b7A  
b7B per DOJ/OIP  
b7C  
b7E

(U//FOUO) Interview of Richard Gates 10/25

Continuation of FD-302 of /2018 - , On 10/25/2018 , Page 3 of 8

father at the end of the Republican National Convention (RNC) [Agent Note:  
The 2016 Republican National Convention took place in Cleveland, Ohio from  
07/18/2016 - 07/21/2016].

Gates said that at the time of the 07/22/2016 WikiLeaks releases, there  
were public indications that Russia was behind them.

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

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UNCLASSIFIED//~~FOUO~~b6  
b7A  
b7B per DOJ/OIP  
b7C  
b7E

(U//FOUO) Interview of Richard Gates 10/25

Continuation of FD-302 of /2018 - , On 10/25/2018 , Page 4 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

Gates said that after the Democratic National Convention in late July 2016 [Agent Note: The 2016 Democratic National Convention was held in Philadelphia, Pennsylvania from 07/25/2016 - 07/28/2016] or in early August 2016,

b6  
b7A  
b7B per DOJ/OIP  
b7C

Trump and Gates were in a car transiting from Trump Tower to LaGuardia Airport (LGA).

b6  
b7A  
b7B per DOJ/OIP  
b7C

Gates gathered that during this phone call there would be additional leaks coming. Gates thought this because shortly after boarding the plane Trump stated that more leaks were coming.

Manafort was getting pressure regarding information,

Manafort instructed Gates status updates on upcoming information.

b6  
b7A  
b7B per DOJ/OIP  
b7CUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-35

FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~

b6  
b7A  
b7B per DOJ/OIP  
b7C  
b7E

(U//FOUO) Interview of Richard Gates 10/25

Continuation of FD-302 of /2018 - , On 10/25/2018 , Page 5 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

Gates said around this time Kellyanne Conway (Conway) and Stephen Bannon (Bannon) were appointed to the campaign and there were conversations behind the scenes about bringing people on to bolster Manafort.

Gates said there was a strategy to defend Manafort by attacking Podesta. The idea was that Podesta had baggage as well. Gates said it was unfortunate the information did not come out in time to defend Manafort from his ultimate departure from the campaign [Agent Note: On 08/19/2016, Manafort resigned from the campaign].

b6  
b7A  
b7B per DOJ/OIP  
b7C

October 4, 2016October 7, 2016

Gates said that on 10/07/2016 he was not in New York and was likely in Richmond, VA or Washington, D.C. Gates's primary contacts on the campaign at this time were [ ] and Brad Parscale (Parscale).

b6  
b7C

Gates advised he wasn't given a heads up on the Access Hollywood tape (the tape), but subsequently talked to members of the campaign, specifically Parscale, about it. Gates recalled the Parscale conversation being retrospective occurring on or about 10/08/2016. Parscale had told Gates he was in the room when the tape was outed. Parscale described this as a difficult time. Gates said a reporter had reached out to [ ] to give a heads up that the tape would be made public. Gates said there was a

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FBI(19cv1278)-36



FD-302a (Rev. 05-08-10)

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b6  
b7A  
b7B per DOJ/OIP  
b7C  
b7E

(U//~~FOUO~~) Interview of Richard Gates 10/25

Continuation of FD-302 of /2018 - , On 10/25/2018 , Page 6 of 8

very short period of time between the heads up and when the story broke.

b6  
b7A

b7B per DOJ/OIP

Gates said there was no prior discussion about the tape before the heads up to the campaign.

b7C

b6  
b7A

b7B per DOJ/OIP

b7C

b6  
b7A

b7B per DOJ/OIP

b7C

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-37

FD-302a (Rev. 05-08-10)

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b6  
b7A  
b7B per DOJ/OIP  
b7C  
b7E

(U//FOUO) Interview of Richard Gates 10/25

Continuation of FD-302 of [REDACTED] /2018 - [REDACTED], On 10/25/2018, Page 7 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

Gates recalls discussions about content of the Podesta emails after their release. Gates said there were discussions about how many WikiLeaks would drop each day of the 30,000 they had.

b6  
b7A  
b7B per DOJ/OIP  
b7C

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-38

FD-302a (Rev. 05-08-10)

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b6  
b7A  
b7B per DOJ/OIP  
b7C  
b7E

(U//~~FOUO~~) Interview of Richard Gates 10/25

Continuation of FD-302 of /2018 - [REDACTED], On 10/25/2018, Page 8 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

\*\* Gates was shown an email [REDACTED]  
containing the subject line "Trump adviser: Wikileaks plotting email dump  
to derail Hillary" \*\*

Gates did not recall receiving the aforementioned email.

\*\* Gates was shown an email [REDACTED]  
containing the subject line "Russia? Look who's really in bed with Moscow  
-- Podesta & Clinton Foundation money-laundering with Russia" \*\*

b6  
b7A  
b7B per DOJ/OIP  
b7C

UNCLASSIFIED//~~FOUO~~

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①

AW, ☐ JR, AZ, ☐

10/25/18

b6  
b7CRG, ☐

10/7 RG met in NY, Richmond, DC

Primary contacts ☐ Brad Bressel

No heads up dir page, subsequently talked to campaign about it

Talked to BP

BP in meeting w/ DOJ w/ <sup>Retrospective</sup> 10/8 cameReporter had reached out to ☐ gave heads up

Very small heads up before story broke

b6  
b7A  
b7B per DOJ/OIP  
b7CNo prior discussion about page, ☐

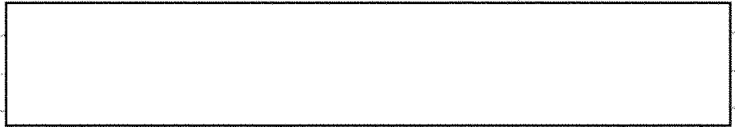
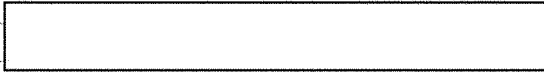
Talked to BP on 10/8 about page

b6  
b7A  
b7B per DOJ/OIP  
b7C☐☐☐☐☐☐b6  
b7A  
b7B per DOJ/OIP  
b7C☐☐

(3)



b6  
b7A  
b7B per DOJ/OIP  
b7C

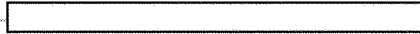


Discussion about amount of assets after the fact

Discussion about how much they would drop each day about \$40,000 they had

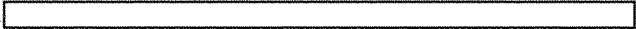
July 22

Camp was very happy about W's release



b6  
b7A  
b7B per DOJ/OIP  
b7C

Just finished conversation



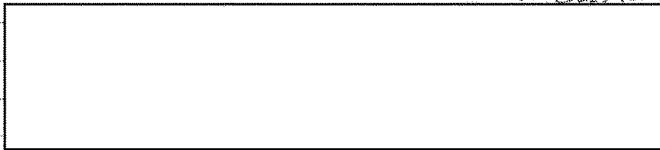
PJM



was happy from a career perspective, offered deflection for camp

after stuck in pairs at last moment & later

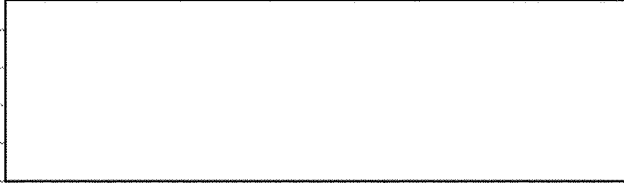
DIT commiserated  
Tul Camp's future



(4)

b6  
b7A  
b7B per DOJ/OIP  
b7C

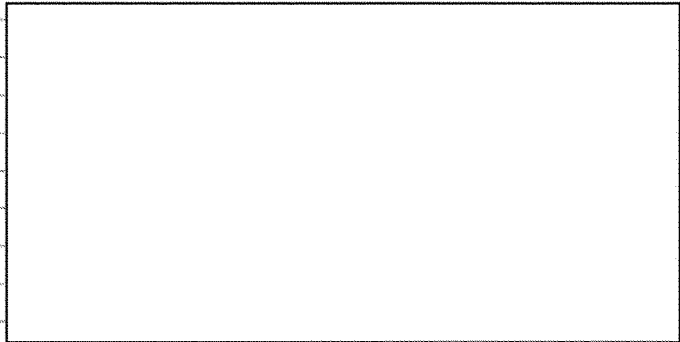
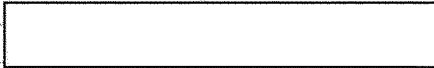
*Public information. Russia was behind it.*



*in consultation to include job Henry started at the time later*

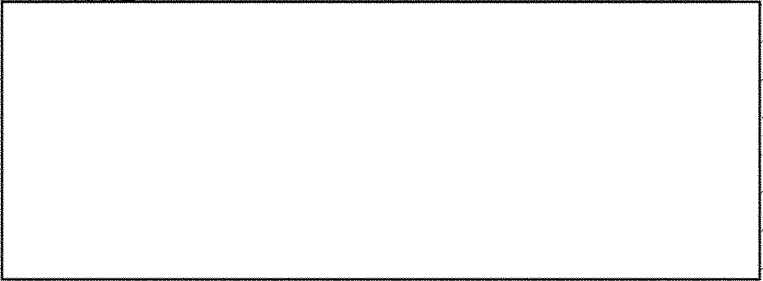


b6  
b7A  
b7B per DOJ/OIP  
b7C

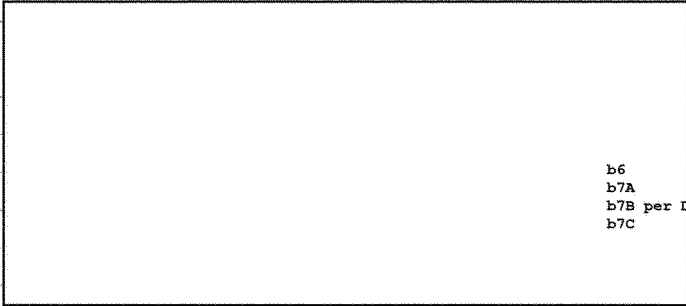


6

b6  
b7A  
b7B per DOJ/OIP  
b7C

August 2

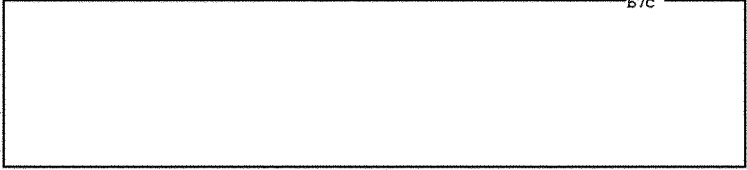
IT → LGA,



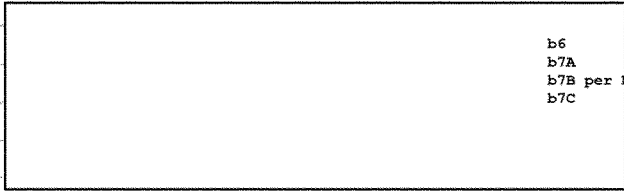
b6  
b7A  
b7B per DOJ/OIP  
b7C

⑦

b6  
b7A  
b7B per DOJ/OIP  
b7C

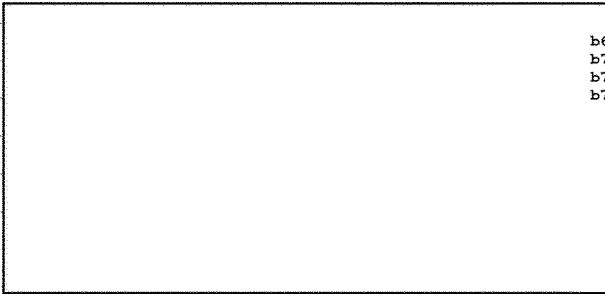


Strategy to defend PJM, by attacking Blaise  
then use Blaise's bad language as well



b6  
b7A  
b7B per DOJ/OIP  
b7C

KC & SB had been opposed, carriers liked the  
scenario about buying people on to bolster PJM



b6  
b7A  
b7B per DOJ/OIP  
b7C



(8)

10/4

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

6/12

JA announcement, pending national vet HEC, pending publication

[REDACTED]

[REDACTED]

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

PHI generated an ongoing errors had not been found.

[REDACTED]

Managing Strategy, then July, surrounding upcoming release of info

[REDACTED]

building strategy, PIM involved


[REDACTED]

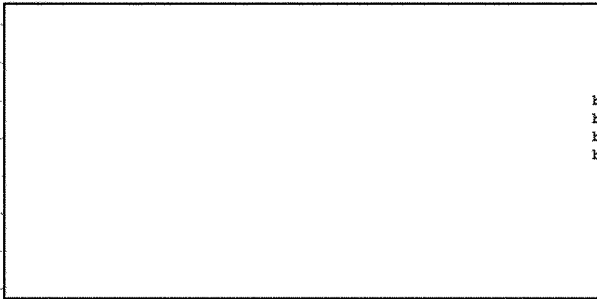
b6  
b7A  
b7B per DOJ/OIP  
b7C

(13)



b6  
b7A  
b7B per DOJ/OIP  
b7C

\* RG reads article from  email \*



b6  
b7A  
b7B per DOJ/OIP  
b7C

\* RG shows email from 10/7 \*



b6  
b7A  
b7B per DOJ/OIP  
b7C



10/25/2018

Trump adviser: Wikileaks plotting email dump to derail Hillary

ELECTION 2016

## TRUMP ADVISER: WIKILEAKS PLOTTING EMAIL DUMP TO DERAIL HILLARY

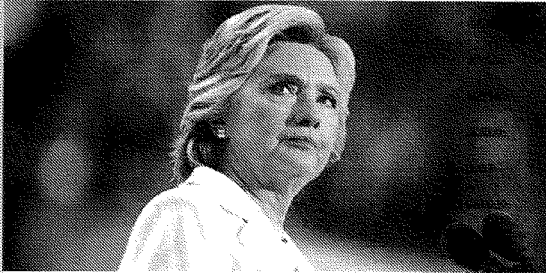
Claims he was hacked after disclosing what Assange told him

Published: 08/15/2016 at 7:36 PM



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(files/2016/08/Hillary-Clinton-TV3.jpg)

Hillary Clinton (Photo: Twitter)

(https://www.wnd.com/)

**NEW YORK** – A top Trump adviser says his computer and personal bank accounts were hacked in retaliation for declaring publicly he believes Julian Assange of Wikileaks has a complete set of Hillary Clinton's 30,000 scrubbed "private emails" and is preparing to release them to derail the Democratic Party nominee's presidential campaign.

Roger Stone, co-author of the bestselling book "The Clinton War on Women" and a longtime friend of Trump, told WND in an interview that he has communicated directly with Assange.

"In the next series of emails Assange plans to release, the reason to believe the Clinton Foundation scandals will surface to keep Bill and Hillary from returning to the White House," he said.

[The Clintons' scheme to monetize the White House scandal is exposed in "Partners in Crime." Order it now at the WND Superstore! \(http://superstore.wnd.com/Partners-in-Crime-Hardcover-Jerome-Corsi/\)](http://superstore.wnd.com/Partners-in-Crime-Hardcover-Jerome-Corsi/)

Stone noted Assange's release of DNC-hacked emails just before the start of the party's Philadelphia presidential nominating convention caused Debbie Wasserman Schultz to resign as DNC chairman for her favoring Clinton over challenger Bernie Sanders.

The next batch, Stone said, include Clinton's communications with State Department aides Cheryl Mills and Huma Abedin.

He said the hackers who penetrated his personal bank accounts managed to establish an online portal through which they began stealing money before they were detected and stopped.

FBI(19cv1278)-51

"Major portions of the hard drive on my computer system were destroyed, erasing maybe permanently decades of email contacts and various writing projects that were yet in progress," he said.

Stone told WND that while he has hired a team of computer experts to determine if his lost computer files can be recovered, he believes much of the damage is permanent, forcing him to move into a more highly secured computer environment.

In a speech Southwest Broward Republican Organization in Florida, published Aug. 9 by David Brock's left-wing website Media Matters (<https://mediamatters.org/video/2016/08/09/roger-stone-confirms-hes-communication-julian-assange/212261>), Stone said he had "communicated with Assange."

"I believe the next tranche of his documents pertain to the Clinton Foundation, but there is no telling what the October surprise may be," he said.

Stone told WND that Assange "plans to drop at various strategic points in the presidential campaigns Hillary Clinton emails involving the Clinton Foundation that have yet to surface publicly."

"Assange claims the emails contain enough damaging information to put Hillary Clinton in jail for selling State Department 'official acts' in exchange for contributions to the Clinton Foundation and as a reward for Clinton Foundation donors becoming clients of Teneo, the consulting firm established by Bill Clinton's White House 'body man' Doug Band," he said.

"The Democrats are right to fear Assange's next email drops will be devastating to Hillary."

Stone, in an Info Wars interview last Friday with Alex Jones (<https://www.youtube.com/watch?v=VQKHmygMIFc>), first disclosed his computer and bank accounts had been hacked.

#### Clinton Foundation conflicts of interest

In May 2013, Politico broke the story (<http://www.politico.com/story/2013/05/huma-abedin-consultant-state-091503>) that longtime Hillary Clinton aide Huma Abedin spent her final months at the State Department working as a "special government employee" in a part-time consultancy, beginning during her pregnancy in the summer of 2012, while she worked second job as a part-time consultant to Teneo.

The New York Post in September 2013 (<https://nypost.com/2013/09/25/state-dept-sued-over-huma-abedin-pay-deal/>) reported Abedin was being paid \$355,000 as a consultant to Teneo while receiving \$135,000 in government pay as a part-time consultant for Hillary Clinton.

The Washington Post revealed in an article published Aug. 27, 2015 ([https://www.washingtonpost.com/politics/how-huma-abedin-operated-at-the-center-of-the-clinton-universe/2015/08/27/cd099ee8-4b32-11e5-902f-39e0219e574b\\_story.html](https://www.washingtonpost.com/politics/how-huma-abedin-operated-at-the-center-of-the-clinton-universe/2015/08/27/cd099ee8-4b32-11e5-902f-39e0219e574b_story.html)) that Abedin actually held four different jobs simultaneously, being paid also by the Clinton Foundation, where she was a contractor preparing for Hillary Clinton's eventual transition from the State Department to the charity.

Last Thursday, CNN reported (<https://www.cnn.com/2016/09/11/politics/hillary-clinton-cgi-cheryl-mills/>) Mills, on June 19, 2012, while serving as chief of staff for Secretary of State Clinton, traveled to New York to interview candidates for top jobs in the Clinton Foundation.

'The tangled web'

## Drivers with No Tickets in 3 Years Should Do This in 2018

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 d=Fkd%2BaqQ2yviYpjmLCjA4EUyoA4agOnGo%2BjLP1st9E4Jz7yZMvMN81vpob8CUUc  
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30,545

Last September, Citizens United published three Freedom of Information Act email releases (<http://www.citizensunited.org/press-releases.aspx?article=10113>) that yielded dozens of Hillary Clinton emails that documented Mills and Abedin had been in regular contact with both the Clinton Foundation and with Doug Band via his email at his consulting firm, Teneo.

The decision by Citizens United to publish the emails in their entirety triggered a firestorm of criticism in the media. David Bossie, founder of Citizens United, said the emails show the "tangled web that is the State Department, Teneo, and the Clinton Foundation." ([https://www.washingtonpost.com/politics/how-huma-abedin-operated-at-the-center-of-the-clinton-universe/2015/08/27/cd089ee4-b32-11e5-902f-39e8219e574b\\_story.html](https://www.washingtonpost.com/politics/how-huma-abedin-operated-at-the-center-of-the-clinton-universe/2015/08/27/cd089ee4-b32-11e5-902f-39e8219e574b_story.html))

The Clinton Foundation had a direct line to Hillary Clinton's former chief of staff at the State Department, seeking her advice on lucrative speaking invitations for former President Bill Clinton outside of the department's normal ethics process, according to emails that surfaced in a federal lawsuit," reporter Rachael Bade wrote in Politico on Sept. 30, 2015, in an article titled "Clinton's chief of staff gave advice to Clinton Foundation."

"Foundation officials sought guidance from Cheryl Mills, a longtime Clinton lawyer and friend, on whether the former president should accept paid speaking gigs in countries that could have presented public relations problems, including a North Korea appearance that the nonprofit said Hillary Clinton's brother was pushing, the emails show," Bade continued.

Noting that Mills sat on the Clinton Foundation board before becoming the State Department's No. 2 employee, Bade commented that "Mills' involvement with some of the most sensitive speaking requests shows that top foundation officials felt comfortable seeking advice directly from Hillary Clinton's closest adviser and consulted her privately on speaking requests involving hundreds of thousands of dollars."

Bade also reported that the attorney for Mills, Beth Wilkinson, a partner at Paul, Weiss, Rikind, Wharton & Garrison LLP, argued that her client simply gave advice and did not officially approve the arrangements, insisting no State Department rules had been broken.

"A member of Hillary Clinton's staff at the Department of State emailed classified information about the government in Congo to a staffer at the Clinton Foundation in 2012," wrote Alana Goodman in a September 2015 Washington Free Beacon article commenting on one of the emails Citizens United published. (<http://freebeacon.com/politics/clinton-aide-shared-classified-information-with-foundation-email-shows/>)

Goodman reported Mills sent the email to the Clinton Foundation foreign policy director, Amitabh Desai, on July 12, 2012, commenting that the FOIA-released email had been partially redacted because it included "foreign government information" that has been classified as "Confidential" by the State Department.

FBI(19cv1278)-53

"The message could add to concerns from congressional and FBI investigators about whether former Secretary Clinton and her aides mishandled classified information while at the State Department," Goodman reported. "The email, which discussed the relationship between the governments in Rwanda and the Democratic Republic of Congo, was originally drafted by Johnnie Carson, the State Department's assistant secretary for African affairs, who sent it to Mills' State Department email address."

Goodman further reported that Mills later forwarded the full message to Desai along with "talking points" for former President Bill Clinton shortly before he was scheduled to visit the region.

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## Russia? Look who's really in bed with Moscow

Hillary campaign chief, Clinton Foundation, in deep on international money-laundering

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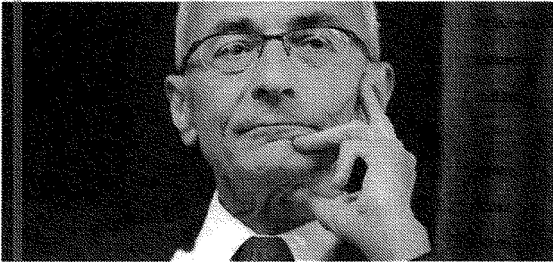
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(files/2013/12/podesta.jpg)

John Podesta

(<https://www.wnd.com/>)

NEW YORK – Hillary Clinton's presidential campaign manager, John Podesta, was on the executive board of a client of the Panamanian law firm Mossack Fonseca, which is at the heart of the the Panama Papers (<https://panamapapers.icij.org/>) investigation into massive global offshore money-laundering.

The company for which Podesta served as a board member, Joule, also received \$35 million from a Putin-connected Russian government fund at the same time then-Secretary of State Hillary Clinton spearheaded the transfer of U.S. advanced technology, some with military uses, as part of her "reset" strategy with Russia, according to a report titled "From Russia With Money," (<http://www.g-a-i.org/u/2016/08/Report-Skolkovovo-08012016.pdf>) released in August by the Government Accountability Institute (<http://www.g-a-i.org/about/>). "Clinton Cash" author Peter Schweizer is president of GAI, and Steve Bannon, the CEO of the Trump campaign, is a director.

*The Clintons' corruption is exposed in Jerome Corsi's "Partners in Crime: The Clintons' Scheme to Monetize the White House for Personal Profit," available at the WND Superstore! ([http://superstore.wnd.com/Partners-in-Crime-Hardcover-Bulk?promocode=\\$TORY](http://superstore.wnd.com/Partners-in-Crime-Hardcover-Bulk?promocode=$TORY))*

The Russian entities that funneled money to Joule and its related companies, and ultimately to Podesta, include a controversial Russian investor with ties to the Russian government, Viktor Vekselberg, and his Renova Group, a Russian conglomerate with interests in oil, energy and telecommunication.

Vekselberg is a board member of Rusnano (<http://search.en.rusnano.com/default.aspx?k=Renova>), the Russian State Investment Fund, as well as president of the Skolkovo Foundation, named for Russia's version of Silicon Valley.

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The Government Accountability Institute report noted Joule was a new company, founded in 2007, pioneering a technology based on harnessing solar energy. Podesta consulted for a foundation run by one of the investors in Joule Energy, Hansjoerg Wyss, who in turn was a major Clinton Foundation donor.

The report documented the Wyss Foundation has given from \$1 million to \$5 million to the Clinton Foundation. Podesta was paid \$87,000 by the Wyss Foundation in 2013, according to federal tax records.

In his 2014 federal government disclosure filing, Podesta declared he divested stock options from Joule, but the disclosure does not cover the years 2011-2012.

Joule Global Stichting was established in Amsterdam on March 14, 2011.

Podesta joined the company's executive board on June 25, 2011. Joule Stichting is a foundation, but it's not strictly a foundation in the charitable sense. A foundation of this type, a Dutch Stichting, is a popular means for reducing one's tax burden, as noted on the website of the Panamanian law firm Mossack Fonseca.

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The Government Accountability Institute concluded that although Podesta is listed on the corporate records, he failed to disclose his membership on the board of Joule Stichting in his federal financial disclosure forms when he joined the Obama White House as a senior adviser.

### Russian government invests

Two months after Podesta joined the board, the Russian government investment fund Rusnano, the Russian Corporation of Nanotechnologies, founded by Vladimir Putin in 2007, announced it would invest up to \$35 million in Joule Unlimited.

On Aug. 1, Bannon and Schweizer co-authored a [Breitbart.com article titled "Report: Hillary Clinton's Campaign Manager John Podesta Sat on Board of Company that Bagged \\$35 million from Putin-Connected Russian Government Fund."](http://www.breitbart.com/2016-presidential-race/2016/08/01/report-hillary-clintons-campaign-mgr-john-podesta-sat-board-company-bagged-35-million-putin-connected-russian-govt-fund-2/) (<http://www.breitbart.com/2016-presidential-race/2016/08/01/report-hillary-clintons-campaign-mgr-john-podesta-sat-board-company-bagged-35-million-putin-connected-russian-govt-fund-2/>)

"The GAI investigative report says it's unclear how much, if any, money Podesta made. The reason: Podesta was on the board of three Joule entities, but only listed two on his disclosure; the most important entity, Joule Stichting, he did not list," Bannon and Schweizer noted. "Why Podesta failed to reveal, as required by law on his federal financial disclosures, his membership on the board of this offshore company is presently unknown."

Bannon and Schweizer further reported flows of funds from Russia during the "reset" to Podesta-connected entities apparently didn't end with Joule Energy, as Podesta's far-left think tank, Center for American Progress, CAP, took in \$5.25 million from the Sea Change Foundation between 2010 and 2013. The Sea Change Foundation, it turns out, ties into various entities specifically named and investigated in the Panama Papers, including Klein Ltd. and Troika Dialog Ltd.

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**Look who's racist now - WND**

Many years ago I discovered a dirty little secret about left-wing ideologues in the Democratic Party. Yes, I know these terms are largely redundant. The few remaining Democrats who don't fit that description are either political

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b7E

FD-302 (Rev. 5-8-10)

- 1 of 15 -

## FEDERAL BUREAU OF INVESTIGATION



Date of entry 11/09/2018

(U) On 09/18/2018 Special Agents (SA) [REDACTED] Intelligence Analyst [REDACTED] Assistant Special Counsel L. Rush Atkinson, Senior Assistant Special Counsel (SASC) Andrew Goldstein and SASC Jeannie Rhee interviewed MICHAEL DEAN COHEN (COHEN) at his attorney's offices at 655 3rd Ave, New York, NY. Present were COHEN's legal counsel, Guy Petrillo, Amy Lester, and Philip Pilmar. Additionally, Assistant United States Attorney [REDACTED] and SA [REDACTED] from SDNY and FBI NY attended. In the presence of his attorney, COHEN reviewed and executed two proffer agreements, one from the Special Counsel's Office, attached, and one from SDNY, which was retained by SDNY. After being advised of the identities of the interviewing SAs and the purpose of the interview, COHEN provided the following:

b6  
b7C

(U) [REDACTED] b5 Per DOJ/OIP  
[REDACTED]  
[REDACTED] The TRUMP ORG wanted to terminate any deals that had to  
[REDACTED]  
of the Presidential Inauguration. [REDACTED]  
[REDACTED]

b5 Per DOJ/OIP

b6  
b7C

(U) COHEN found [REDACTED] TRUMP TOWER MOSCOW b5 Per DOJ/OIP  
on the list. [REDACTED]  
[REDACTED]

Investigation on 09/18/2018 at New York, New York, United States (In Person)

File # [REDACTED] Date drafted 09/24/2018

b6  
b7C  
b7E

by [REDACTED]

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Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 2 of 15

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

FBI(19cv1278)-64

Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 3 of 15

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

(U) The use of the TRUMP ORG's "party line" with respect to Russia went earlier than the closing of TRUMP TOWER BATUMI and TRUMP TOWER MOSCOW.

b5 Per DOJ/OIP

b6  
b7C

(U) COHEN spoke to TRUMP about TRUMP TOWER MOSCOW and Russia as soon as news reports started to come out. The conversations with TRUMP were earlier than the February 2017

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 4 of 15

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U) TRUMP asked COHEN in March or April 2016 if anything was happening with Russia. b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U) TRUMP's July [27], 2016 statement was untrue. In July, COHEN spoke to TRUMP about the statement. TRUMP told COHEN they have no deals in Russia.

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Continuation of FD-302 of (U) Interview of Michael Cohen , On 09/18/2018 , Page 5 of 15

COHEN thought TRUMP justified saying this because TRUMP TOWER MOSCOW was not a deal yet. TRUMP said, "Why mention it if it is not a deal?" [b5 Per DOJ/OIP]

[b5 Per DOJ/OIP]

(U) MEGAN TWOHEY - New York Times

(U) COHEN met MEGAN TWOHEY, a new reporter at the *New York Times*, thinking it was a friendly meeting for the two to get to know each other and not a sit down interview. They met at [redacted] COHEN recalled MEGAN TWOHEY [redacted]

b6  
b7C

[b5 Per DOJ/OIP]

b6  
b7C

[b5 Per DOJ/OIP]

COHEN told TWOHEY the project ended in January 2016 and was not feasible.

[b5 Per DOJ/OIP  
b7C]

FBI(19cv1278)-67

Continuation of FD-302 of (U) Interview of Michael Cohen , On 09/18/2018 , Page 6 of 15

was part of the script TRUMP, HICKS, and KELLYANNE CONWAY (CONWAY) came up with months before. It was the party line to dismiss the notion.

b5 Per DOJ/OIP

COHEN previously talked about this script with TRUMP. COHEN did not tell TRUMP he thought the script was untrue because TRUMP already knew it was untrue.

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-68

Continuation of FD-302 of (U) Interview of Michael Cohen , On 09/18/2018 , Page 7 of 15

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

(U) The source for the August 2017 *Washington Post* article about TRUMP TOWER MOSCOW sounded like it came from COHEN. COHEN was holding to the script that it was abandoned in January 2016. [REDACTED]

b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

(U) It was not COHEN's idea to write a letter to congress about TRUMP TOWER MOSCOW. The statement was put out to piggyback off of JARED KUSHNER putting out a statement before. The release was to shape the narrative and to let other people who might be witnesses know what COHEN was saying to keep the same message. This was KUSHNER's approach to public messaging. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 8 of 15

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

(U) COHEN learned the message to have the Russia investigations end early from discussions with TRUMP, SEKULOW, [REDACTED] The discussions occurred shortly after, in the days or weeks following, the appointment of the Special Counsel. It would have been May or June [2017]. The discussion was to not worry, the investigation would not last and would be over by August -- August became December and the House and Senate investigations had not

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

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Continuation of FD-302 of (U) Interview of Michael Cohen . On 09/18/2018 , Page 9 of 15

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6

b7A

b7E per DOJ/OIP

b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP



Continuation of FD-302 of (U) Interview of Michael Cohen , On 09/18/2018 , Page 10 of 15

b5 Per DOJ/OIP

(U) COHEN had a second conversation with TRUMP [REDACTED] in TRUMP's office very soon after Friday, July 22, 2016. TRUMP said to COHEN, [REDACTED]

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 11 of 15

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U) In preparation for his Congressional testimony, COHEN's message had several components. COHEN had to keep TRUMP out of the messaging related to Russia and keep TRUMP out of the Russia conversation. One of these points to keep TRUMP out of was this UNGA TRUMP-Putin meeting, because he had discussed it on the HANNITY SHOW.

(U) In advance of testifying, there was a specific conversation about keeping TRUMP out of the UNGA narrative. COHEN was trying to be loyal. The investigation was not supposed to have taken us to where we are today. COHEN was told if he stayed on message, the President had his back, the President loves you.

b5 Per DOJ/OIP

b6  
b7B per DOJ/OIP  
b7C

b5 Per DOJ/OIP

FBI(19cv1278)-73

Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 12 of 15

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-74

Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 13 of 15

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b7A  
b7B per DOJ/OIP  
b7C

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b7E

Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 14 of 15

b5 Per DOJ/OIP  
b7A  
b7B per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

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Continuation of FD-302 of (U) Interview of Michael Cohen, On 09/18/2018, Page 15 of 15

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

Andrew Goldstein

9/10/2018

Rashid Alkham

Guy Rotundo

Lance Blair

Amy Laska

Phil Flynn

Michael Cohen

b6

b7C

Proffer - SCO - Initial of Guy

- SDNY - Initial of Guy

b5 Per DOJ/OIP

MC

b6

b7C

Guy

Trump Tower - Logon -

APC - Trace Parts for bank

b5 Per DOJ/OIP

b6  
b7C

APC - Pressing + HHS - when speaks to PJT  
MC as early as newspaper was coming  
out. - first time earliest article was  
APC - 1st Article - Feb 2017 -

b5 Per DOJ/OIP

b6  
b7C

APC



[Redacted]

b5 Per DOJ/OIP

b6  
b7C

ADD

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

- ask n March or April

any longer w/ Passa -

[Redacted]

b5 Per DOJ/OIP

APC

[Redacted]

MC

b5 Per DOJ/OIP

ADG DIT's statement in July - mention  
 MC - spoke to DIT about statement and  
 in relation to roscow - DIT we have no doubt  
 if it happens - when it happens - why  
 mention it it is at all!

b5 Per DOJ/OIP

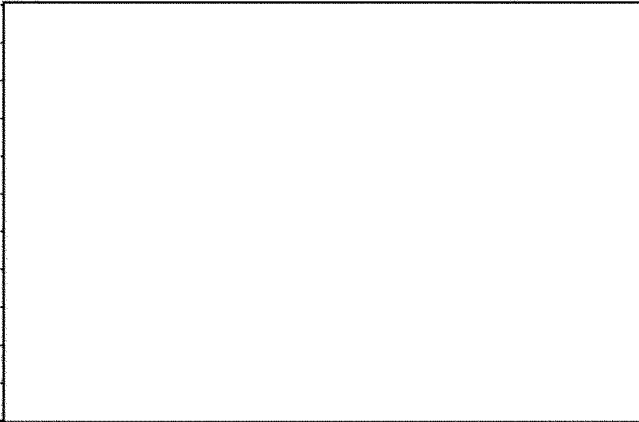
ADG - Person Thru

b5 Per DOJ/OIP

b6  
 b7C

FBI(19cv1278)-85

*Thany*



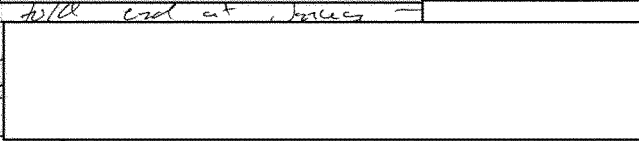
b5 Per DOJ/OIP

*ADG  
revel  
reports*

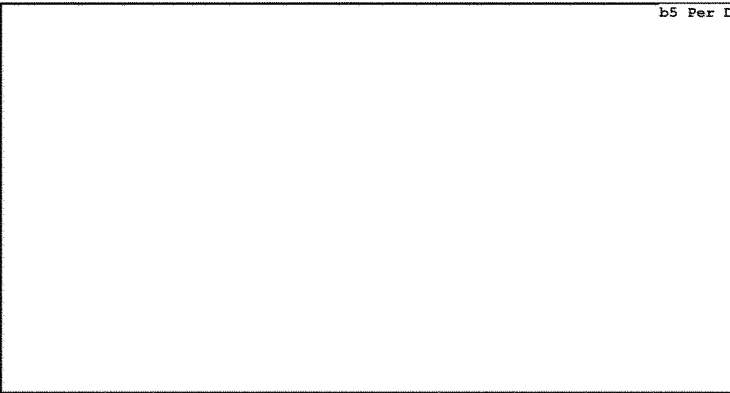


b5 Per DOJ/OIP

*b5/c2 end at [unclear]*



*ADG*

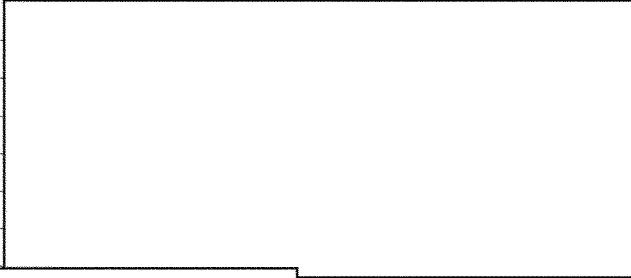


b5 Per DOJ/OIP

*MC*

b6  
b7C

b5 Per DOJ/OIP

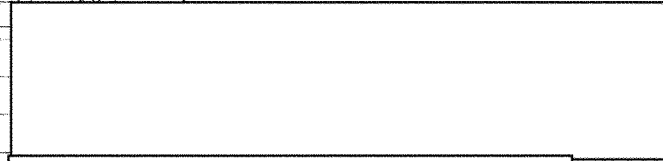


to DSI, Hyper, Comeng

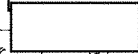
this is for the [redacted] - [redacted]  
 action - [redacted]

b5 Per DOJ/OIP

APR



b5 Per DOJ/OIP

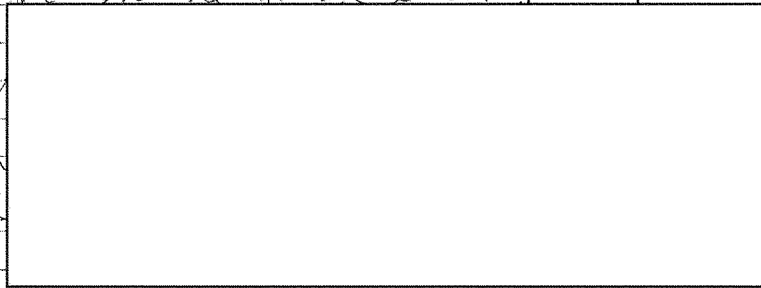


- talk about this script w/ DSI

APR SC-18 is [redacted] - talk w/ DSI about [redacted]

OK - [redacted] - he already knew it

b5 Per DOJ/OIP



APR

b5 Per DOJ/OIP

APR

APR

p.w.

b6

b7C

APR - 0/27 + 28 - new stage 2nd 11/17

b5 Per DOJ/OIP

APR - Wa Post says goodbye by Jan  
 - me sounds like would come from re

b5 Per DOJ/OIP

Escrip - goodbye Jan 2016

b5 Per DOJ/OIP

APR

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JSR -

b5 Per DOJ/OIP

JSR -

b5 Per DOJ/OIP

MC -

b5 Per DOJ/OIP

JSR -

b5 Per DOJ/OIP

APR 45 or NO @

Idea to write letter to Congress about  
TTAC?

MC - NO

b5 Per DOJ/OIP

Gry - Student But cont - Pigglyback off of Jared Kuchis ~~letter~~

JSR - even if needed - your idea?

MC - <sup>no</sup> not, not his idea -

JSR -

b5 Per DOJ/OIP

MC - Single narrative, let other people  
also write to witness to let them  
know what he was saying - keep  
narrative to single message.

JSR - JK approach + Public Message?  
MC - yes, Malacca

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
 b7A  
 b7B per DOJ/OIP  
 b7C

but could get it unless

22nd - Friday - after the 22nd

AT said

b5 Per DOJ/OIP

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LRA

b5 Per DOJ/OIP

ADG

b5 Per DOJ/OIP

ADG Day 17th Congressional testimony - (Oscar?)  
 re - message had several components  
 keep Trump out of message, Russia  
 keep out of Russia issues.  
 Decided - to the point was Trump - later  
 meeting - re Hannity

ADG re advice of testimony as follows.

Specific issues about Trump keep out  
 of this episode, try to be loyal/  
 investigator was not supposed to take  
 us to where we are today.

Stay or message - Russ has back Russ

b6

b7B per DOJ/OIP

b7C

b5 Per DOJ/OIP



U.S. Department of Justice  
*The Special Counsel's Office*

Washington, D.C. 20530

August 6, 2018

Guy Petrillo  
Petrillo Klein & Boxer LLP  
655 Third Ave.  
22nd Floor  
New York, NY 10017

Re: Michael D. Cohen

Dear Counsel:

You have indicated that your client Michael D. Cohen (hereinafter "Client"), is interested in providing information to the government.

With respect to the meeting between the government, Client and yourself on August 7, 2018 (hereinafter "the meeting"), the government will be represented by individuals from the Special Counsel's Office and the Federal Bureau of Investigation. The terms of this letter do not bind any office or component of the U.S. Department of Justice other than those identified in the preceding sentence. The following terms and conditions apply to the meeting:

(1) **THIS IS NOT A COOPERATION AGREEMENT.** Client has agreed to provide information to the government, and to respond to questions truthfully and completely. By receiving Client's proffer, the government does not agree to make any motion on Client's behalf or to enter into a cooperation agreement, plea agreement, immunity agreement or non-prosecution agreement with Client. The government makes no representation about the likelihood that any such agreement will be reached in connection with this meeting.

(2) Should Client be prosecuted, no statements made by Client during the meeting will be used against Client in the government's case-in-chief at trial or for purposes of sentencing, except as provided below.

(3) The government may use any statement made or information provided by Client, or on Client's behalf, in a prosecution for false statements, perjury, or obstruction of justice, premised on statements or actions during the meeting. The government may also use any such statement or information at sentencing in support of an argument that Client failed to provide truthful or complete information during the meeting, and, accordingly: (a) that under the United States Sentencing Guidelines, Client is not entitled to a downward adjustment for acceptance of

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responsibility pursuant to Section 3E1.1, or should receive an upward adjustment for obstruction of justice pursuant to Section 3C1.1; and (b) that Client's conduct at the meeting is a relevant factor under 18 U.S.C. § 3553(a).

(4) The government may make derivative use of any statements made or other information provided by Client during the meeting. Therefore, the government may pursue any investigative leads obtained directly or indirectly from such statements and information and may use the evidence or information subsequently obtained therefrom against Client in any manner and in any proceeding.

(5) In any proceeding, including sentencing, the government may use Client's statements and any information provided by Client during or in connection with the meeting to cross-examine Client, to rebut any evidence or arguments offered on Client's behalf, or to address any issues or questions raised by a court on its own initiative.

(6) Neither this agreement nor the meeting constitutes a plea discussion or an attempt to initiate plea discussions. In the event this agreement or the meeting is later construed to constitute a plea discussion or an attempt to initiate plea discussions, Client knowingly and voluntarily waives any right Client might have under Fed. R. Evid. 410, Fed. R. Crim. P. 11(f), or otherwise, to prohibit the use against Client of statements made or information provided during the meeting.

(7) The government reserves the right to argue that neither this agreement nor the meeting constitutes the timely provision of complete information to the government concerning Client's involvement in an offense, within the meaning of Section 3E1.1(b) of the Sentencing Guidelines.

(8) If and when required to do so by a court, the government may disclose to the Probation Office or the court any statements and information provided by Client during the meeting.

(9) The government may disclose the fact of the meeting or the information provided by Client during the meeting to the extent the government determines in its sole discretion that disclosure would be in furtherance of its discharge of its duties and responsibilities or is otherwise required by law. Such disclosure includes disclosure to a local, state, federal, or foreign government office or agency, including but not limited to another prosecutor's office, if the recipient of the information agrees to abide by the relevant terms of this agreement.

(10) The terms and conditions set forth in this agreement extend, if applicable, to the continuation of the meeting on the dates that appear below.

(11) It is understood that this agreement is limited to the statements made by Client at the meeting and does not apply to any oral, written or recorded statements made by Client at any other time.

(12) This document embodies the entirety of the agreement between the government and Client to provide information and evidence. No other promises, agreements or understandings exist between Client and the government regarding Client's provision of information or evidence

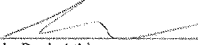
to the government.


(13) Client and Client's attorney acknowledge that they have read, fully discussed and understand every paragraph and clause in this document and the consequences thereof.

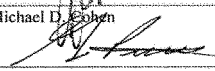
Dated: August 7, 2018

At: Washington, DC

ROBERT S. MUELLER, III  
Special Counsel

By:   
L. Rush Atkinson  
Assistant Special Counsel  
The Special Counsel's Office





  
Michael D. Cohen

  
Guy Petrillo  
Attorney for Client

Dates of Continuation

9/12/2018  
9/18/2018  
9

Initials of counsel, Client and government attorney

LRA    
LRA  

b7E

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## FEDERAL BUREAU OF INVESTIGATION



Date of entry 06/26/2018

Stephen K. Bannon was interviewed at the Special Counsel's Office, located at Patriots Plaza I, 395 E Street SW, Washington, DC. Bannon was accompanied by his attorneys [REDACTED]. Present for the interview were Special Agent (SA) [REDACTED] SA [REDACTED] Intelligence Analyst [REDACTED]

b6  
b7C

Senior Counselor to the Special Counsel James L. Quarles, Counselor to the Special Counsel Michael Dreeben, Senior Assistant Special Counselor Andrew Goldstein, Assistant Special Counsel Aaron Zelinsky, and Assistant Special Counsel Elizabeth Prelogar. After being advised of the identity of the interviewing agents and the nature of the interview, Bannon provided the following information:

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

b6  
b7C

[REDACTED]

b5 per DOJ/OIP

Investigation on 02/14/2018 at Washington, District Of Columbia, United States (In Person)

File #

Date drafted 02/26/2018

by

b6  
b7C  
b7E

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.

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(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

(U) Interview of Stephen K. Bannon (Day

Continuation of FD-302 of 2), On 02/14/2018, Page 3 of 37

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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(U) Interview of Stephen K. Bannon (Day  
Continuation of FD-302 of 2) , On 02/14/2018 , Page 5 of 37

b5 per DOJ/OIP

b5 per DOJ/OIP

After Sessions recused, Trump screamed at McGahn about how weak Sessions was.

b6  
b7C

Trump was as mad as Bannon had ever seen him.

b5 per DOJ/OIP

Bannon told Trump Sessions' recusal was not a surprise. He said they had talked about it back in December.

b5 per DOJ/OIP

b5 per DOJ/OIP

Trump wanted a lawyer like Roy Cohn. He wanted an Attorney General like Bobby Kennedy. He thought of them as people who really protected their President. Trump thought Holder always stood up for Obama and said Holder even took a contempt charge for Obama and that Bobby Kennedy always had JFK's back.

(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

Trump thought he was a  
winner, he was a fixer, someone who  
got things done.

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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[Redacted]

[Redacted]

(U) Interview of Stephen K. Bannon (Day  
Continuation of FD-302 of 2) . On 02/14/2018 , Page 9 of 37

[Redacted]

b5 per DOJ/OIP

b6  
b7C

[Redacted]

b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

[Redacted]

b6  
b7C  
b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

[Redacted]

b5 per DOJ/OIP

Bannon heard

(U) Interview of Stephen K. Bannon (Day

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about conflicts with the Special Counsel from Trump. Trump told him there were issues involving Mueller and Trump's golf course in Northern Virginia, because Mueller had been an equity member at the club but moved and wanted to be cashed out; Mueller was former law partners with [REDACTED] and Mueller was the first person they talked to about serving as the FBI Director. Bannon thought those issues were raised soon after Mueller was named Special Counsel. [REDACTED]

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

**June 2016 Trump Tower Meeting**

Bannon had no knowledge of the June 2016 Trump Tower meeting at the time it happened. It was before his time on the campaign. He thought he heard about it from Mark Corallo on a Saturday morning when Trump was en route back to the United States from an overseas trip, or possibly even a day or two before. He heard about it in relation to a media story. Bannon added that before Trump left on the trip, Corallo was in good standing with Trump and Bannon had considered making him Communications Director.

Bannon heard there was an email from Corallo, who mentioned in passing "the lawyers" had an email, or possibly that Marc Kasowitz had gotten an

(U) Interview of Stephen K. Bannon (Day

Continuation of FD-302 of 2) , On 02/14/2018 , Page 12 of 37

email from a server. Bannon did not go to the G-20 with Trump. He stayed back to work on the outside law firm. He eventually learned not just their lawyers had the email but instead "everyone" had it.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-143



(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

Bannon reviewed a document Bates stamped SB 00006329. The Guardian and the Financial Times did articles at the same time linking Felix Sater and Kushner. Bannon knew [Special Counsel prosecutor] Andrew Weissman had put Sater away previously for money laundering.

Bannon knew Kushner was on vacation off the coast of Croatia with a Russian billionaire when Bannon took over the campaign. Kushner was with Wendy Deng, the Russian billionaire, and the Russian's girlfriend. Bannon said his friends in the intelligence community said the girlfriend was "questionable." Bannon called Kushner and told him to come back from vacation. They had 85 days to go, no money and they needed Kushner to come back and fire Paul Manafort.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

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(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

(U) Interview of Stephen K. Bannon (Day

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

Bannon first met Trump in August of 2010. Their first meeting was approximately 2 hours long. David Bossie was present and said that Trump was thinking of running for president in 2012. Bannon said "for what country?" It was a 2 hour presentation on a possible presidential run in

FBI(19cv1278)-147

b7E

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(U) Interview of Stephen K. Bannon (Day

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2012. After that, Trump went on Bannon's radio show and did some things for Breitbart. Bannon had spent approximately 30 minutes combined with Trump outside of Bannon's radio show approximately 3-4 times.

In 2015 Bannon got to know some of the "outsiders" in the 2016 presidential race, and at that time he got to know [redacted] and began to talk with him quite a bit. Bannon never spoke to [redacted] one on one, just over the phone. At one point Bannon had spoken to [redacted] for approximately 5 minutes, close to June 2016, on a topic related to immigration or something similar. Bannon eventually became more in touch with the presidential campaigns of Ted Cruz, Ben Carson, and Trump. Bannon did have some conversations over the phone with Corey Lewandowski. Bannon's news organization was anti-establishment, so they interacted with that brand of candidate.

b6  
b7C

When the presidential primaries ended, Bannon had the same type of relationship with Trump. Bannon and Trump rarely spoke besides setting up an interview or Trump coming onto Bannon's show. Bannon was interacting with populist, anti-establishment camps such as Cruz.

Bannon had read a NYTimes article describing the Trump campaign being in disarray, so he started to make a few phone calls. At the time, Trump was 12-16 points down, there was talk of the Republican National Committee (RNC) cutting Trump loose, and the Republicans were talking about distancing themselves from Trump for fear of losing control of the House of Representatives. Bannon called [redacted] and there was worries that if Bannon became involved in the Trump campaign, Breitbart could be blamed if Trump lost. Bannon had previously talked to [redacted] back in June 2016 in an effort for them to make peace with Trump. The [redacted] had a Super PAC that was anti-Hillary Clinton and the [redacted] asked how they could help. Bannon wanted to bring KellyAnne Conway and David Bossie in to help as well. Bannon flew out to Woody Johnson's house and talked to Trump that night when he arrived. Bannon told Trump he would take the position as Campaign Chief Executive.

b6  
b7C

At the time Trump was 16 points down, the campaign had no organization, no money, 75% of the population thought the country was in decline, they were working with the "deplorables," and Bannon had a 100% certitude that they would win. Bannon believed the big task was to give people permission to vote for Trump as commander in chief.

The next day Bannon met with Manafort, which was the same time that the news about the "Black Ledger" was breaking. Bannon was at campaign headquarters when Manafort told Bannon to come up to Trump Tower. When Bannon arrived, Manafort showed him something about a NY Times story about the "Black Ledger" and \$15 million dollars from the Ukraine. Bannon asked

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when this story was coming out. Manafort replied that he had known about the story coming out for approximately 2 months and had not gotten involved in it. Bannon subsequently told Trump to keep Manafort, to not fire him, and to keep him around for a couple of weeks. Bannon called Kushner, and asked him to get back in order to do something publicity wise to counteract the negative press surrounding the story. Trump had asked Bannon at one time about "what was this thing with Manafort out of the Ukraine," and they talked for approximately 15 minutes on it. Trump was never linked with other Russian news stories at the time, and he believed Manafort was a promoter. Trump was more worried about how they story made them look. Bannon believed that Trump talked with Manafort about the story.

Bannon was involved in all aspects of Trump's debate preparation. Bannon helped Trump talk and think through various topics related to national security and foreign policy. The idea of working with Russia to fight ISIS was "thrown out there". Flynn or Keith Kellogg might have come up with the idea, with the reasoning that since Russia was dealing with similar problems in Chechnya, they might be an ally to help. Bannon never specifically remembered hearing the phrase "knock the hell out of ISIS," but that could have become a catch phrase. Overall, Trump had a non-interventionist stance. During the campaign they were mainly trying to play defense, it was a very basic strategy, and they were trying to get Trump to not say something "insane." Flynn might have brought up the idea of partnering with Russia on fighting ISIS, but not on a geo-strategic level. Trump's stance was more or less that Russia did not have to be an enemy.

b5 per DOJ/OIP

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b5 per DOJ/OIP

Bannon first met Erik Prince 8 to 9 years ago. Bannon made a film about Fallujah and he asked Prince to be involved. Bannon wanted to show the film to Prince for accuracy. The next time Bannon spoke to Prince was when he came out with a book, "Warrior something." It was approximately 2014-2015 and Prince had started coming onto Bannon's show.

Bannon and Prince would talk about Islamic radical terrorism. Prince knew the Middle East, Asia, and sub-Sahara Africa. Prince was a former Navy SEAL, contractor for the government, and ran his own mercenary company. Bannon described Prince as a "smart guy." Bannon never really had a foreign policy talk with Prince for the Trump Campaign, but Prince was not shy about sharing his ideas.

Bannon was shown Document #1, email dated 9/8/2015 from Prince to Bannon, subject "Talking Points, second attempt". Bannon stated that he did not remember passing it along, but it sounded like something he would do. Bannon was in daily contact with [redacted] until he was let go in August. After that, Bannon would contact Lewandowski nearly every day. Bannon did not remember discussing the memorandum attached to the email, but said he would have sent something forward like it.

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Bannon reviewed a document Bates stamped SB-00018818. Bannon stated he did not remember the email, but it would be something he could have done. Bannon could not remember if Prince briefed the candidate, but Bannon did put Prince in contact with Flynn.

Bannon was not in regular contact with Prince. Bannon spoke with Prince a couple times a month by phone. Prior to Bannon joining the campaign, he spoke with Prince infrequently. Bannon estimated it to be once a week to once every couple of weeks. Bannon and Prince would generally talk about international affairs.

Bannon was shown Document #3, email dated 12/12/2015 from [redacted] to Bannon with [redacted] cc'd, subject "Re: Breitbart News." Bannon stated that [redacted] was Breitbart's [redacted] Bannon introduced [redacted] to [redacted] in order for [redacted] to be a source for the article referenced in the email about data collection.

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Bannon was shown Document #4, email dated 1/14/2016 from Bannon to Prince, subject [redacted] Bannon explained that Prince said he knew people from his new company. Bannon knew a quality guy from [redacted] and he [redacted] Bannon thought that if Bannon could connect him to some security guys, this guy might be of help. Prince

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had connections in the intelligence community that might be looking for his talents. Bannon did not think that Prince followed up on it.

Bannon was shown Document #5, email dated 3/17/2016 from Prince to Bannon, subject "Re." From this email, Bannon did not remember if Prince actually came on his show. Prince was "on the right" and was a highly thought of guy.

Bannon was shown Document #6, email dated 5/23/2016 from Prince to Bannon, [redacted] cc'd, subject "Fwd: Recommended meeting." Bannon did not remember the email exchange. Bannon doesn't remember meeting with Oleg. Prince viewed Bannon as someone with a good relationship with Trump.

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Bannon was shown Document #7, email dated 10/18/2016 from Prince to Bannon, subject "Russia/US election." Bannon did not remember this email or whether he prepared a speech as referenced in the email. Bannon stated that Prince was not short on ideas. Bannon thought the email was more in reference to Clinton than the Russian influence issue. Bannon thought the email might be on changing the narrative to Clinton as an alternative to the stories in the news about Russian election influence. Bannon did not remember talking to Prince about the email or about talking to Prince about Russian influence.

Bannon described the 14<sup>th</sup> floor as "loosy goosy" and Prince might have come through from August to the Election Day, but he was not certain. Prince would often have ideas on how he could help them with the debates. Bannon did not specifically remember how many times he met with Prince at Trump Tower during the campaign, but estimated it to be a couple of times. A couple of times Prince would email his ideas to Bannon. Bannon might have asked for Prince's ideas on a certain issues. Prince knew Conway, Bossie, [redacted] Bannon did not know if Prince provided advice for any of them. Prince was a known entity in the campaign and might have walked around and met people and have come through the 14<sup>th</sup> floor. Once someone was on the 14<sup>th</sup> floor they could walk around freely. Prince could contact [redacted] or someone in security in order to gain access.

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Bannon was shown Document #8, email dated 11/16/2016 from Prince to Bannon, subject "Fwd: Bannon." Bannon didn't remember this email. Bannon did not know whether Prince was in touch with Mark Corallo. Prince had just offered his help.

After the election, during the transition timeframe, Bannon continued to interact with Prince. Prince had come by to speak with Flynn and Bossie approximately 3 to 4 times. Prince came to New York approximately 5 to 6

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times to speak to people other than Bannon such as Flynn, K.T. McFarland, Bossie, Kellogg, Conway, [REDACTED] Sebastian Gorka and [REDACTED] Bannon remembered walking by and seeing Prince in the "war room" with [REDACTED] Prince would tell Bannon who he was seeing. Prince would not officially schedule meetings with them. Flynn, Kellogg, Bossie, and Conway had known Prince before then. Prince would come in and sit down and talk about foreign policy. Prince would suggest people they should be getting on board and people to include in the administration. Bannon would bounce ideas off of Prince and talk about such people as Mike Pompeo. The things Prince said were not too crazy and people respected him. Prince had other contacts within the intelligence community. Bannon, Flynn, Bossie and Kellogg had spoken of Prince. Bannon and Flynn had talked with each other about Prince saying he was a good guy.

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Prince came by to see Bannon approximately 3 to 6 times. Prince would come by and talk to one of Bannon's assistants in order to get in. Security at Trump Tower was not overbearing. When they talked, Bannon did talk to Prince about ISIS. Bannon did not particularly remember talking to Prince about Russia in regard to ISIS, but would not be surprised if it came up. Prince did not meet with then candidate Trump, but Bannon thought Prince was close to Eric Trump and Trump Jr. Bannon remembered Prince stopped by during the campaign and asked if Trump Jr was there. Bannon knew Prince would go hunting with Eric Trump and Trump Jr. During the campaign, Prince might have met with Trump Jr, and Bannon remembered that one time Trump Jr might have walked Prince down. Prince met with [REDACTED] [REDACTED] during the campaign as well. Prince always had ideas on what was going on, but Bannon did not remember any of Prince's policy papers making it to Eric Trump or Trump Jr.

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Bannon stated he didn't know Rick Gerson.

b5 per DOJ/OIP

Bannon was involved in the September 2016 meetings with Abdel Fattah El-Sisi and Benjamin Netanyahu. It was Kushner's idea to work toward a summit with Egypt, the UAE, and Saudi Arabia and that Trump would go to this summit in the 1<sup>st</sup> 6 months of his presidency. MBZ came over as a way to

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get to know the incoming administration. It was obvious to Bannon that Kushner was told of the meeting prior and had helped set it up. Kushner had talked to MBZ's guys in the U.S. in order to set it up. They met with approximately 25 of the UAE attendees in the lobby, including UAE Ambassador to the U.S. Yousef Al Otaiba, and after approximately 6 to 7 minutes they went up to the penthouse of the Four Seasons. When Bannon walked into the penthouse, he saw another 15 UAE attendees already in the room. Bannon wondered what this meeting could be about. Bannon saw a guy who looked like Sean Connery and realized it was MBZ. MBZ was in jeans and a t-shirt, dressed in casual attire. It was apparent to Bannon that Kushner knew Otaiba and that it wasn't the first time they had met. Bannon believed that the Obama administration had disengaged from the Middle East, which is similar to what El-Sisi and Netanyahu had said. During the meeting with MBZ they discussed the ISIS threat to the area. Bannon did not remember if they discussed Russia, but if they did, it was targeted to the Persian Gulf area. Bannon remembered they talked about Persian expansion, Iran, Baghdad, Beirut, and Hezbollah. The meeting was approximately 2 hours long. Bannon thought that Nader was one of the group of 15 or 25 guys they met as MBZ "held court" for a couple hours. If Nader was there, Bannon believed they just introduced themselves, and shook hands.

b5 per DOJ/OIP

b5 per DOJ/OIP

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b5 per DOJ/OIP  
Referral/Consult

[REDACTED]

[REDACTED] had at one time come to Bannon and said he wanted to do something  
[REDACTED] Bannon asked [REDACTED] if [REDACTED] was a  
good guy, [REDACTED] Bannon wanted to  
know if [REDACTED] Bannon  
asked [REDACTED]

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[REDACTED]  
[REDACTED] Bannon later found out  
that [REDACTED]  
[REDACTED] Bannon did not recall [REDACTED] talking about [REDACTED] then. Bannon  
discussed [REDACTED] was going to go over to  
meet with [REDACTED]  
[REDACTED]  
[REDACTED]

Bannon had been working on a proposal to move the Israeli capital to  
Jerusalem, the Christian right movement, putting money into a 501(c)(4)  
using UAE money or "those guys" which didn't end up happening, and putting  
together a security conference over in the Middle East in the Spring  
/Summer of 2017. Bannon last saw Nader 2 to 3 months ago. Bannon had too  
much going on with the C4 and life in general. Bannon had seen that the  
Special Counsel's Office had called Nader to the Grand Jury, but Nader had  
not reached out to Bannon.

b5 per DOJ/OIP

[REDACTED]

Referral/Consult

[REDACTED]

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[REDACTED]

[REDACTED]

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Referral/Consult

[REDACTED]

When shown a photo of Rick Gerson, Bannon stated that this was the college roommate of Kushner, and that he was pretty sure he was the hedge fund guy he referenced earlier. Gerson had a hedge fund on Madison Ave in New York City at Barneys Tower. His office was 2 blocks from Trump Tower on 60<sup>th</sup> and Madison Ave. Gerson knew a lot about the Middle East and said many intelligent things about it. [REDACTED] b5 per DOJ/OIP

[REDACTED]

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b5 per DOJ/OIP

Bannon thought he heard that Nader was being called into the Grand Jury for the Special Counsel's Office in the newspaper, but then said that he could be wrong.

[REDACTED]

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b5 per DOJ/OIP

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b5 per DOJ/OIP

b5 per DOJ/OIP

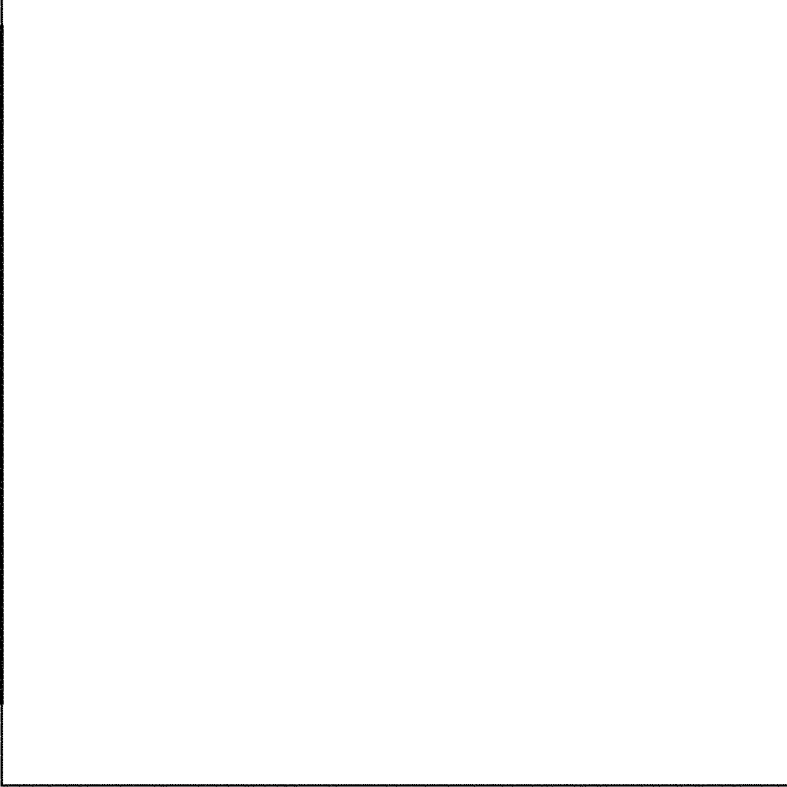
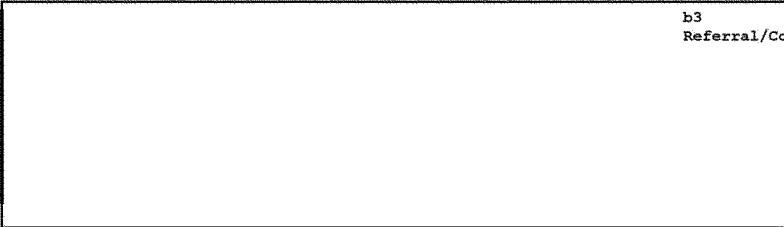
b7A Per DOJ/OIP

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b7A Per DOJ/OIP

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Referral/Consult

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b3  
Referral/Consult

b5 per DOJ/OIP  
Referral/Consult

Michael Cohen was one of the lawyers on Trump's staff. Bannon described Cohen as a fixer and a problem solver. In 2010, Cohen came down to the first meeting Bannon had with Trump and introduced himself as a political advisor. When Bannon was on the Trump Campaign, Bannon did not want Cohen wandering around the Trump Campaign organization. Bannon thought it could get them in a lot of trouble since Cohen goes off "halfcocked" a lot. Cohen kept trying to get involved in the Trump Campaign. Bannon described Cohen as the kind of guy who thought it would be a good idea to send \$130,000 to Stormy Daniels.

Bannon reviewed a document Bates stamped SB-00013127. Bannon was told "zero" deals involving Russia and the Trump Organization. Candidate Trump would say he didn't know any Russians and there was no collusion. This came up during the campaign a couple of times. Bannon never asked Trump about any Russian business deals. In regard to the emails reference to Felix Sater, Bannon stated that this went back to the House Intelligence Committee, that they had a signed term sheet in December 2015 on Trump Tower Moscow. This was a big deal to Bannon, and Bannon described it as a "big reveal."

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b5 per DOJ/OIP

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b5 per DOJ/OIP

b5 per DOJ/OIP

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Bannon was not aware of any financial agreements to Daniels, other accusers, or other relationships of Trump. Bannon talked to Breitbart guys about the \$130,000 payment, but not to anyone in the administration. Bannon was not aware of any other payments made. When asked to speculate about the \$130,000 payment Bannon thought it might be David Pecker, since he did not think anyone around "Trump.org" would be dumb enough, and they would have worried about the impact to the election.

b5 per DOJ/OIP

Bannon never heard of Cohen arranging for Trump to give a speech on an online platform or talk about Cohen's concepts for "Trump.org". Bannon had

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read a New York Times article about business dealings with Russia and the candidate/"Trump.org". Bannon was aware of the article before he became involved in the Trump campaign. When Bannon was on the Trump campaign, he never discussed the stories that came out involving then candidate Trump during March/April of 2016. During the later stages of the campaign, when the story broke about Trump's house in Palm Beach, Bannon discussed it with Trump and Trump had a plausible explanation. The story never gained any traction. Bannon never talked with Trump on how he thought all these stories on his business dealings with Russia was absurd. The story about Cohen reaching out to Putin's office in January 2016 in order to ask for help on Trump Tower Moscow was a big deal to Bannon and it countered what Bannon heard about Sater by candidate Trump. Bannon did some inquiries about it with his contacts at the Intercept, Fox, the Guardian and ABC News. There was no further information on this, which did not surprise Bannon.

Bannon was shown an email dated 9/28/2016 from Bannon to Cohen with Conway, Kushner, [REDACTED] Stephen Miller, and [REDACTED] cc'd, subject "Re: request from the ft." Bannon did not remember getting an email from Cohen about Sergei Millian, and doesn't remember any conversations about Millian. Bannon never had any conversations with the campaign on the Millian issue.

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[REDACTED]

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b5 per DOJ/OIP

[REDACTED]

b5 per DOJ/OIP

Bannon reviewed a document Bates stamped SB-00018384. Bannon did not think this email referenced Cambridge Analytica. Bannon stated that as a private citizen, and lead of Breitbart, he was interested in finding Clinton's

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33,000 missing emails. The Government Accountability Institute (GAI) analysis was that the 33,000 missing emails were tied directly to the influence peddling of the State Department. Barbara Leeden knew someone who could work on finding the 33,000 and they had a half a dozen meetings on how to find them. They ascertained that if they would be able to find the emails, they still would not be able to validate their authenticity. They never obtained any emails or any samples and stopped the search. The 33,000 was related to the Clinton Cash book and the pay for play scheme.

Bannon reviewed a document Bates stamped SB-00018418. The green light referenced in the email was for a data operation for voter targeting. There was a presentation about it given to Lewandowski but the data operation people were not retained. Cambridge Analytica then became involved after Ted Cruz officially withdrew in May 2016. In June 2016, [ ] offered an introduction for Bannon to Jared Kushner and Ivanka Trump. Bannon agreed and that was the first time he met Kushner and Ivanka.

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Bannon was shown Document #14, email dated 6/12/2016 from Bannon to [ ] with [ ] cc'd, subject "Re: Defeat Crooked Hillary | [ ] Bannon did not remember sending the email and he never went to the United Kingdom. Bannon did not remember talking to [ ] about meeting with [ ] in general. Bannon would not characterize his response in the email, "Love it," as an approval to [ ] suggestion to meet with [ ] Bannon did not know if [ ] or anyone from Cambridge Analytica, ever reached out to [ ] Bannon thought they probably dropped the idea. Bannon had no idea where [ ] of Cambridge Analytica and he was focused on getting their data business growing in the U.S. [ ] had a lot of "James Bond" ideas like this idea on [ ] and characterized it as [ ] saying he "knows a guy, who knows a guy."

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b7B per DOJ/OIP  
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George Papadopoulos had emailed Bannon during the campaign in an effort to setup a meeting with Egypt. The campaign had decided to take a couple days off during a visit to the U.N. in order to meet with foreign leaders. Bannon was initially against it. Bannon thought Trump's biggest challenge was selling the public that Trump could be Commander in Chief, so therefore he decided to do it and limit the meetings to a few key leaders such as Egypt, Israel, and maybe a couple of others. Kushner wanted a meeting with Israel, and Bannon and Flynn were pushing for a meeting with Egypt. Bannon never worked with Papadopoulos on setting up the meetings despite Papadopoulos's offers through email. Bannon would generally blow off Papadopoulos and thought to himself "I don't need this guy." Flynn would be on the hook for the meetings Papadopoulos was suggesting, and Bannon did not need Papadopoulos. Papadopoulos never told Bannon about the

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Russians having dirt on Clinton, and Bannon never heard Papadopoulos tell anyone else in the campaign, such as Sam Clovis, that the Russians had dirt on Clinton. Bannon had all the dirt he needed from Clinton Cash and Uranium One, he didn't need any more dirt. Bannon didn't need any more dirt from "clowns" like Papadopoulos and Clovis.

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Bannon first met [redacted] by email or by phone in 2013-2014 while he was working for Breitbart. [redacted]

b7B per DOJ/OIP

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[redacted] At the time, [redacted] was running the campaign, and Bannon described it as a "one man band." Bannon thought [redacted] had done "a damn good job." Bannon thought [redacted]

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Bannon was shown Document #15, email dated 1/7/2016 from [redacted] to [redacted] subject "Data Guy in Trump Tower." Bannon thought [redacted] got the wrong name in the email, [redacted] who they got rid of. Giles Parscale had a little data center on the 15<sup>th</sup> floor. Bannon was introduced to a "data guy" there in January 2016, but Bannon didn't remember the name. Bannon speculated that maybe [redacted] had some ideas about it, but Bannon did not think it was [redacted] who was involved.

b7B per DOJ/OIP

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Bannon was shown Document #16, email dated [redacted]

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b7B per DOJ/OIP

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Bannon was shown Document #17, email dated [redacted]

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b7B per DOJ/OIP

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In August 2016, Kushner was in charge of the digital campaign and fundraising. Bannon was the CFO of the campaign with Jeff Dewit. The campaign had almost no cash and they were receiving only a small amount from online contributions. The campaign was losing cash at the time and they were down by a double digit lead with the 1<sup>st</sup> debate coming. They needed \$50 million from Trump, which eventually became \$10 million. Afterwards, they were still down by 3 ½ points.

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Bannon was shown an email dated 4/20/2016 from [redacted] to Bannon and [redacted] cc'd, subject "Re: Cambridge Analytica." Bannon did not remember this email.

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b7B per DOJ/OIP  
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Bannon was shown an email dated 5/04/2016 from [redacted] to Bannon, subject "[No Subject]." Bannon thought this looked like [redacted] from the email in Document #17. Cambridge Analytica claimed they could help micro-target voters on Facebook. [redacted] it might have been for a project for Cambridge Analytica.

Bannon was shown Document #18, email dated [redacted]

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b7B per DOJ/OIP  
b7C

Bannon was shown Document #19, email dated [redacted]

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b7A  
b7B per DOJ/OIP  
b7C

Bannon was shown Document #20, email dated 8/26/2016 from Bannon to [redacted] no subject. Bannon stated that [redacted] Bannon did not remember what the ideas were that he wanted to talk to [redacted] about referenced in the email. Bannon described [redacted]

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b7B per DOJ/OIP  
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Bannon was shown Document #21, email dated 8/30/2016 from Ted Malloch to Bannon with [redacted] cc'd, subject "The debate." In reference to the email, Bannon stated he had no contact [redacted]

[redacted] Malloch was a writer and professor at a faculty in London. Bannon knew him from Breitbart London. Bannon did not meet with [redacted] personally during the campaign, and Bannon felt if he ever would have needed to sit down with [redacted]

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b7B per DOJ/OIP  
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Bannon was shown Document #22, email dated [redacted]

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b7B per DOJ/OIP  
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Bannon was shown Document #22 again, the email dated

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b7B per DOJ/OIP  
b7C

Bannon was always interested in the missing 33,000 emails, but was not interested in the John Podesta information since he believed it was not going to impact the election. Bannon clarified that he was talking to

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b7B per DOJ/OIP  
b7C

Bannon was interested in the verified missing 33,000 emails and how it related to Uranium One. Bannon might have talked with [ ] at one time, about the 33,000 emails. Bannon did talk to Candidate Trump about the 33,000 missing emails. After Bannon came onto the campaign, it got into Candidate Trump's "head" that the 33,000 emails might be important. Trump was focused on "crooked Hillary" and the Uranium One story, and thought the 33,000 missing emails might unlock it. They never discussed that the Russians might have them. Bannon thought that

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some hackers in Bulgaria might have them. There was not much of a response from Trump and every now and then he would bring up the 33,000 emails. One time when the Podesta emails were released, Trump asked if it was a big deal. Bannon [redacted] with Trump. Flynn or Kellogg might have had a disc on finding the 33,000 emails. Bannon thought Flyb6 might have had an idea about using an outside company and finding the b7A 33,000 missing emails. If it was anything cyber related, Bannon would b7B per DOJ/OIP always refer them to Parscale and the Cyber guys. Bannon did not think the b7C WikiLeaks releases were that big of a deal, the important information was the 33,000 missing emails. Kellogg thought the same thing, and he was not a cyber guy. Priebus and Miller had talked about the 33,000 missing emails.

After the Billy Bush story broke, one hour later the Podesta emails were released. [redacted]

[redacted] Bannon never thought the Podesta releases were a big deal and they would not have a big impact on the campaign. [redacted] b6 b7A b7B per DOJ/OIP b7C

Bannon knew [redacted] had sent some emails to Bannon. Bannon described [redacted] b6 b7C  
Bannon didn't take any action in relation to [redacted] emails. Bannon did not remember talking to [redacted] while he was on the campaign.

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b7B per DOJ/OIP  
b7C

Bannon was shown Document #23, email dated [redacted]

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b7A  
b7B per DOJ/OIP  
b7C

Bannon was shown Document #25, email dated [redacted]

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b7A  
b7B per DOJ/OIP  
b7C

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b7E

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b7B per DOJ/OIP  
b7C

Bannon was shown Document #26, email dated

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b7A  
b7B per DOJ/OIP  
b7C

Bannon was shown Document #27, email dated 10/22/2016 from Bannon to [redacted]  
and [redacted] no subject. Bannon talked to [redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[redacted] Prince was going to have fundraiser for Trump and considered it his commitment to the campaign. Bannon did not remember introducing [redacted] to any other donors. Bannon did not remember helping any other find funding besides [redacted] Bannon was weary of involving himself with [redacted] and was only helping out [redacted] because he did not want to be "lit up" by [redacted] Bannon did not see it as a potential coordination issue working with [redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

Bannon was shown Document #29, email dated 9/21/2016 from Trump Jr to [redacted] Bannon, Conway, Kushner, Bossie, and [redacted] subject "Wikileaks." Bannon did not remember receiving this message, but it was during the campaign timeframe. Bannon did not remember anyone else in contact with WikiLeaks or trying to get in contact with WikiLeaks. There was discussion during the campaign on how WikiLeaks would impact the race. Bannon did not think anyone had any ideas on where WikiLeaks had got their information. Bannon did not remember anyone reaching out to [redacted] WikiLeaks, or any other intermediary to see what information might be coming.

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(U) Interview of Stephen K. Bannon (Day

Continuation of FD-302 of 2) , On 02/14/2018 , Page 36 of 37

Bannon was shown Document #32, email dated 11/5/2016 from Bannon to Kushner and Bossie, subject "Re; Securing the Victory." Bannon stated that Manafort had zero involvement in the campaign after he left. Bannon thought if they responded to this email from Manafort, Manafort would be telling that to everyone. Bannon was not aware of any instances of Manafort advising, or being involved in the campaign after his ouster. Hicks said he was not involved, and she would have a sense on who Trump talked to. Candidate Trump never said to Bannon that he was in contact with [redacted] or Manafort. Bannon knew they were going to win, and in this email he wanted to avoid Manafort because Bannon believed that if people could link them to Manafort, they could then try to link them to Russia.

b6  
b7A  
b7B per DOJ/OIP  
b7C

Bannon had three cell phones. He did not use the campaign issued phone or the "secure phone." The iPad he was issued in the campaign he did not use much. Bannon was not aware that his cell phone was set up to not archive text messages, and someone else had setup his phone for him. It was a surprise to Bannon that his text messages were not archived. During the campaign and transition timeframe Bannon did not use secure apps. When Bannon got close to leaving the administration, he got ProtonMail and Signal. [redacted] helped him set up the ProtonMail which Bannon believed provided increased security. Bannon did not use ProtonMail to send or receive email from people in the administration. Bannon did not have a Slack channel and never used Slack. Breitbart used Slack, but they were trying to shut that down. Bannon setup a Wickr account after he left the administration after Prince talked to him about it being more secure. Prince talked with Bannon about using Wickr Pro for Breitbart. Bannon used Wickr with Prince and Signal with [redacted]. Bannon only started using Wickr and Signal after he left the administration. While Bannon was in the administration, he never heard of anyone using 3<sup>rd</sup> party apps. They received a briefing on how their communications needed to be kept for federal records. Bannon was not sure if his text messages were supposed to be kept under the federal records act. Bannon did not remember using his personal phone for White House business. Bannon did not remember using texting on his government devices, although he might have. Bannon did not remember any discussion of how his text messages should be saved, or his personal device texts should be saved. Bannon primarily used the white house email while he was in the administration. If Bannon received an email to his "arc-ent" email while he was in the White House, he would respond to it from the "arc-ent" account. He gave full access to his "arc-ent" email account to [redacted] in order for her to send them to the White House account to be archived. [redacted] might have helped with that as well.

b6  
b7C

Administrative:

FBI(19cv1278)-167



FD-302a (Rev. 05-08-10)

b7E

[REDACTED]

[REDACTED]

(U) Interview of Stephen K. Bannon (Day  
Continuation of FD-302 of 2), On 02/14/2018, Page 37 of 37

The agent notes and documents shown to Bannon will be maintained in the 1A section of the case file.

FBI(19cv1278)-168

~~SECRET~~

(U)

CLASSIFIED BY: NSICG [REDACTED]

REASON: 1.4 (C)

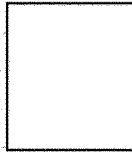
DECLASSIFY ON: 12-31-2042

DATE: 08-26-2019

①

b6  
b7c2/14/18

Bannon



Dreben

Prelogar

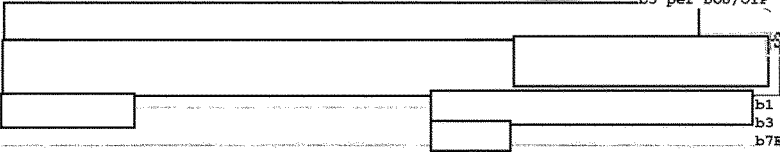
Quarles

Goldstein

Zelinsky

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED EXCEPT  
WHERE SHOWN OTHERWISE

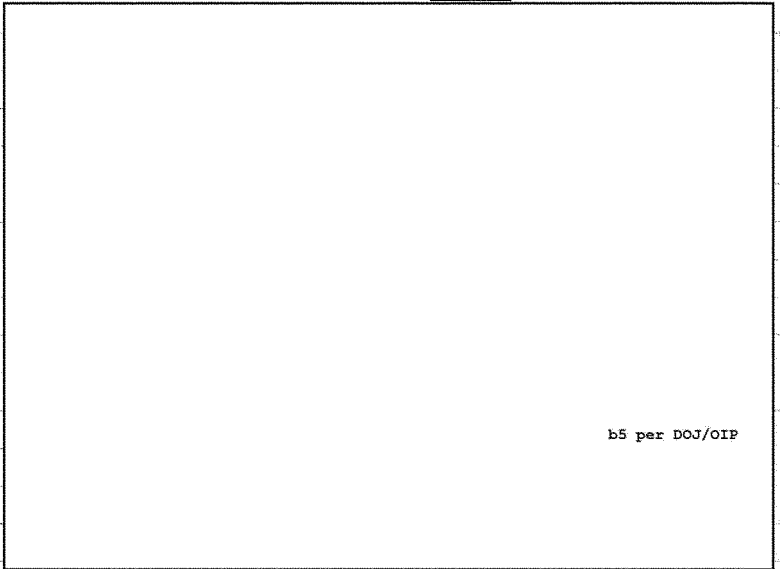
b5 per DOJ/OIP



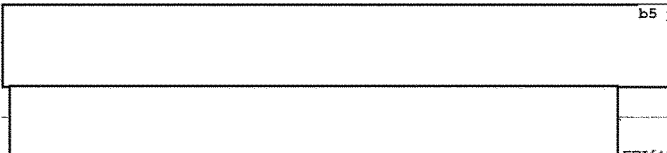
b1

b3

b7E



b5 per DOJ/OIP



b5 per DOJ/OIP

~~SECRET~~

(U)

FBI(19cv1278)-169

~~SECRET~~ (U)

(8)

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

After refusal, P screaming at McG about  
how weak Sessions was.

b6  
b7C

b5 per DOJ/OIP

He's as  
mad as I've ever seen him.

FBI(19cv1278)-176

~~SECRET~~ (U)

~~SECRET~~ (U)

(9)

b5 per DOJ/OIP

SKR: not a surprise. we talked about this  
back in December.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

9: wanted in a lawyer - Roy Cohn  
wants in an AG - Bobby Kennedy.  
People that protected  
their President. Thought Holder was  
always standing up for Obama. Took contempt  
charge for 8.

b5 per DOJ/OIP

FBI(19cv1278)-177

~~SECRET~~ (U)

~~SECRET~~ (U)

(10)

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-178

~~SECRET~~ (U)

Bobby K ideal AS. Had JFK's back.

~~SECRET~~ (U)

(1)

b5 per DOJ/OIP

but a fixer, a manner, got things  
done.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

FBI(19cv1278)-179

~~SECRET~~ (U)

~~SECRET~~ (U)

(18)

b5 per DOJ/OIP

b5 per DOJ/OIP

conflicts w/ Moller - heard about it from P.  
 some situation w/ golf course in NAVA <sup>BSM</sup> ① Equity partner,  
 moved, wanted cashed out. ② Moller was former  
 partner w/ [REDACTED] ③ first guy talked  
 to for FBI director.

b6  
b7c

Shunk as soon as named, or shortly thereafter.

b5 per DOJ/OIP

b5 per DOJ/OIP

~~SECRET~~ (U)

FBI(19cv1278)-186

~~SECRET~~ (U)

(2)

b5 per DOJ/OIP

June 9, 2016 mtg. no knowledge at time.  
 When did you learn? Think I heard about it from Corallo  
 on a Sat morning when they were flying back maybe  
 a day or two before. Heard about it in relation  
 to a story.

Before they left Corallo in good standing n/p.  
 Thought about making him Comms director

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

recall anything re: email? Heard it from Corallo -  
 mentioned in passing the lawyers have some email  
 didn't go to G-20. needed to work on outside  
 law firm

Kasowitz  
 pulled something down  
 from server.

~~SECRET~~ (U)

FBI(19cv1278)-189



~~SECRET~~ (U)

(22)

Not just our lawyers. Fremont's got it.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-190

~~SECRET~~ (U)

~~SECRET~~ (U)

(26)

b5 per DOJ/OIP

July 24 SB 00006329 Guardian has done an article, FT article  
 Same time. Jared, Felix Sath, Andrew W. [redacted]

b6  
b7C

JK on vacation off coast of Croatia w/ Russian billionaire  
 when I took over. [redacted]

b5 per DOJ/OIP

[redacted] I called him and told him to come back.

w/ Wendy Lana, Russian guy and gf [redacted]

Intel say questionable

b6  
b7C

85 days,  
 no money,  
 got back &  
 the money!

b5 per DOJ/OIP

b5 per DOJ/OIP

FBI(19cv1278)-194

~~SECRET~~ (U)

2/14/2018

Elizabeth

Karanz.

Andrew G.

Jim Q.

b6  
b7c

met Trump Aug. 2010, 2 hours, Dave Bruce said  
Trump thinking of running for pres., SB went  
country, 2 hr. pleasurable pres. in 2012  
- Trump on radio show, did some stuff  
for Breitbart

- 30 mins combined

outside radio show, 3-4 times

- 2015, outsiders can <sup>not go to</sup> know Sam Nunberg, → talk more, Quebec  
     ↳ had Trump on show a bunch of times  
     ↳ near one on one, phone
- never make sure Trump got interviewed,  
     don't remember one on one conv.,  
     Smiths closer to here,

Immigration similar

- Cruz + Trump, Carson = became more, mutual,  
     SB news org., anti-establishment, on phone with Corey
- primaries over = same relationship, rarely  
     Spate Bosilos setting up an interview with his  
     kids, or coming on KB show
- populist anti-establishment

Cannips, Cruz

↓

✓

①

- bolt out of the blue, tie every event to Melania, Melania is the real world,

- NYT, front page article, campaign in disarray, SB = STRA making some phone calls, 12-16 p.m. down, RNC cutting him loose, loose house, SB → call [redacted] Breitbart will be blamed. Talked about it, try to have [redacted] make a peace with Trump back in June, Super PAC, anti-Hillary [redacted] how to help, SB bring Kellyanne, bossie in; flew out to Wally Johnson's house → talked to Trump, Trump → SB should do it, talked to Trump that night

- SB - 16 down, no org, no money, 100% certainty you'll win, 75% think Canada, 1% decline, dependable, give permission to vote for Trump as commander in chief

- SB → not Manafort next day, news on Black ledger, SB at campaign HQ, Manafort tells SB to come up to T.T, SB shows up, Manafort shows something, NYT story 15 million from Ukraine, get out SB → when is this coming out? Manafort, known for 2 months, at the end don't get involved, SB → tell Trump, Manafort not get fired, stay for a couple of weeks, do what you got to do, Manafort → think he saw DJT, SB called JK, that break, do something for publicity

- Trump → what's this thing, who's Manafort, out of [redacted]

Trump  
 - never linked with other Russian news stories. Trump → Manafort is a promoter, coming into his office. [redacted]

b5 per DOJ/OIP

[redacted]. Trump more worried about the stories and what it made them look like

- SB → involved in all of the debate prep, all debate prep

- national security & foreign policy,

SB helped DST talk & think through it.

- working with Russia to fight ISIS,

thrown out there, non-interventionist. Flynn or Kellogg might have come up, could be an asset to ally to help, Chechnya,

- never remembered us vs, knock down out of ISIS, could become a catch phrase

- campaign → playing defense, DST not saying something insane, very basic stuff, Flynn <sup>major</sup> partner in fighting ISIS, but not on geo-strategy, Russia doesn't have to be an enemy - [redacted]

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

~ 1st met EP 8-9 years ago, SB made a film about Gillyiah, asked EP to be involved <sup>shows</sup> <sub>again</sub>  
 - next telical, he came out with a book, warrior something, started coming on the show, 14-15

FBI(19cv1278)-202

- EP & SB
- should talk Islamic radical terrorism,
  - EP - he knows the A.F., Asian, Sub-Saharan Africa, knows the region, Navy Seal, contractor mercenary company, smart guy
    - not really had foreign policy talk with EP for Trump Campaign → EP not shy about sharing ideas

b5 per DOJ/OIP

Dec 1

- don't remember discussing a lot, something he would do C.L. [redacted] → let go in Aug 4 St, [redacted] b6 b7C
- daily contact. then contacted C.L. every day
- don't remember discussing this memorandum, but said would have sent forward.

something interesting

Dec. 2

- don't recall remember, something SB could have done, don't remember if EP briefed the candidate, did put him in contact with Flynn
- not regular contact with EP
  - couple times a month by phone
  - prior to joining campaign, infrequently, once a week → once every couple of weeks
  - talk about international affairs, globally,



⑤

JH

Doc. 3

- introduce [redacted] for Breitbart, info for a source for that article, data collection → same as referenced

b6  
b7C

Doc. 4

- EP said he knew people through new company, quality guy from [redacted] connect to security guys, could be of help, EP had connections in intel comm, looking for talent, don't think followed

b6  
b7C

Doc. 5

- Don't remember if it took place, EP was on terrorist, highly thought of guy

Doc. 6

- not remember this exchange, don't remember meeting him, EP → would see as someone with good relationship for Trump

Doc. 7

- Don't remember if he prepared speech, EP not stuck on ideas

b5 per DOJ/OIP

- 14th floor, lobby going, EP might have taken Aug → election day, not certain, [redacted] ideas he could help Trump with on debate →

⑥

FBI(19cv1278)-204



- SB don't totally remember, maybe a couple of times, EP would email a couple of times, HRiders, Strom might have asked for how ideas on certain issues.

- Brought policy questions <sup>up</sup> EP

b6  
b7C

Knew Kellyanne, [redacted]

EP is a known entity, in campaign, might have walked around, met people, he might have come through 14th floor, he poked his head in on Kellyanne, Bossie, don't know if he provide advice for them, remember him wandering around talking to bosses, once on 14th floor = could walk around freely,

- 14th floor, - got enough Trump security

14th floor, EP contact [redacted] or secretary

b5 per DOJ/OIP

b6  
b7C

Doc. 7

- don't remember the Samuil, don't SB → that ~~the~~ email is about Hillary Clinton.

- don't think it's regarding Russian influence issue, SB → about Hillary Clinton, maybe as an alternative to Russian election influence,

- don't remember EP talking about this, maybe. Don't remember talking to EP about Russian influence

Doc. 8 - don't remember

## transition

- after election, continue to interact with EP →

come by to talk to Flynn, people to introduce

- BP = see Flynn, Bossie, 3-4 times

- coming to New York

- maybe 5-6, not SB, meet with K,

[redacted] Kelly, Flynn, SB, Kellyman, b6  
b7C

have Bossie, BP would say he would be seeing them, not officially schedule

- Flynn, Kelly, Bossie, Kellyman

knew him before

- someone is free, BP can see

to it down, talk about foreign policy, people there should be getting on board, ~~BP~~, people in the administration

- SB's bounce ideas off BP or Pompeo, stuff wasn't too crazy, people respected him, other contacts in intelligence

- Flynn + SB, Bossie, Kelly asked about BP

- SP/MF about BP, good guy, BP might have worked with him, guys & ideas to negotiate

- saw with Bossie,

at mtg/land

- no one else he can think of,

- BP - 3-6 times coming by

- came → talk to SB's assistant [redacted] or b6  
b7C

[redacted] to get in, security wasn't overbearing

DOCS - did talk with EP & ISSS, Russia in regards to DSSS, not particularly, but wouldn't be surprised if it came up. EP

- don't know if EP was in touch with Mark Brillo

b5 per DOJ/OIP

[REDACTED]

[REDACTED] EP just

offered help.

- EP didn't meet with the candidate, close to Eric & Don Jr., campaign → EP seeing if Don Jr. was there, hung together

- Kellyanne, Bossie, MF, [REDACTED]

b6  
b7c

[REDACTED] Kt met. Seth Gorkhan, Eric,

Don Jr.

- didn't talk by & see EP, in

war room with [REDACTED]

- campaign, might have met with

Don Jr.

[REDACTED]

Don Jr.

might have walked EP down.

- EP is always has ideas on what is going on. Don't remember either way EP's policy papers to the boys.

- don't know Rick Gerson

↓ don't remember ↑

b5 per DOJ/OIP

b5 per DOJ/OIP

- [redacted] SFB involved in Sept meetings > with SSSI & Pen. Net. JK idea to work through a Summit with Egypt, UAE, Saudi. Trump would go to in 1st 6 months > related to this. Walked over. MBZ was coming over as a get to know us, basic, JK on way, or before obvious JK told, setup, not # of people, 1 was guys JK talked to MBZ's guys in U.S. to setup. Some of 25 met in Bobby, 4048th, 6-7 meet, took up to penthouse. Walk in and see another 15 guys, so - what's this, see a guy looks like Sean Connery > was MBZ, everyone in jeans or casual attire. JK knew yourself, JK = don't feel like 1st person meet, chief incident officer (10)

- middle east, Obama admin disengagement,  
 same guys Siri & Ben met. Kyard, discussion at  
 PDS threat to the area. no don't know, 2 discuss  
 Russia, if so targeted, gulf, SB early talk  
 about person expansion, Iran, Baghdad, Beirut  
 Hezbollah, 2 hrs. long.

- think GN more of 25/15 guests key  
 net MBZ 'held court' for a couple hours, just  
 shook hands with SD. Not 100% he is there,  
 just introduced himself.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b6

b7C

b5 per DOJ/OIP

b6  
b7Cb5 per DOJ/OIP  
Referral/Consult

- GNV mentioned [redacted] came to SB wanted to do  
something [redacted]  
SB asked [redacted] later, was he as good a guy he  
came across [redacted]

b6  
b7C

- 4 seasons = mid-December - 2016  
- after [redacted] called SB everything knew about

b6  
b7C

- don't recall [redacted] telling about

b6  
b7C

[redacted] then, [redacted]  
[redacted], bus. in past, bus. in future.

↓ ↓

mid  
- Dec 13 - Feb meeting

- don't remember interacting with anyone from the UAE, JIC/MP thing, SB's working on  
↳ don't remember asking about any trump officials

- PM had talked about having a better relationship with people in the U.S.

- move capital to Jerusalem Christian

right movement, talked about putting money into C4, UAE money or took guys, didn't end up happening, longer term play tie to a security conference over there, bond people between popular

- 2-3 months ago - last talked to GN, too much going on with C4, life generally saw SCO called GW to grand jury, never reached out

- discussed [redacted] with [redacted] on [redacted] >  
going over, meeting with [redacted]

b6  
b7c

b5 per DOJ/OIP

FBI(19cv1278)-211

b5 per DOJ/OIP

Referral/Consult

- approx. 10 minute break

Photo - College roommate of JK, recognized him, pretty sure  
his name

- guy has hedge fund, madison ave, honey  
tower, JK came by early, Tony Blair, MF, photo,  
Nov/December 16, didn't know his office, 2 blocks  
from TT, both + madison ave

b5 per DOJ/OIP

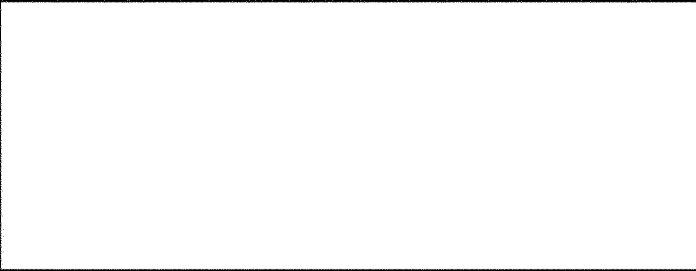


b5 per DOJ/OIP

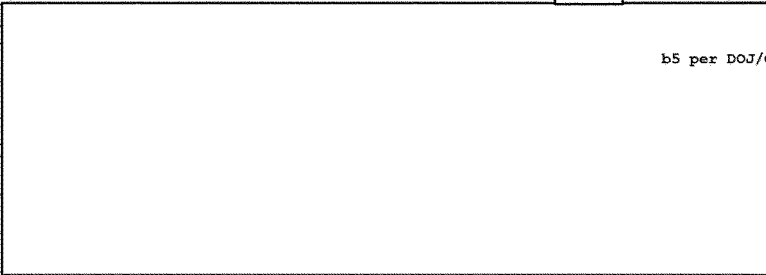


- GN → GO, <sup>SB</sup> though he read it in the paper, SB thought  
he said it in paper, could be wrong

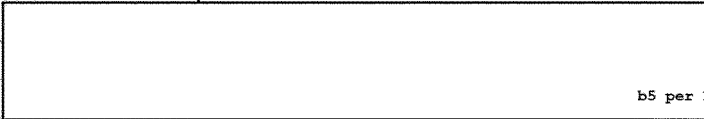
b5 per DOJ/OIP

b6  
b7Cb6  
b7C

b5 per DOJ/OIP



b5 per DOJ/OIP



- MC - one of the lawyers on Trump's staff,
  - MC = a fixer, thought he was a problem solver <sup>2010 1st</sup>
  - ~~2010~~, came down to 1st meeting, introduced as a political advisor
  - MC in campaign, Monday came down to SB's office, SB = in Trump org., can't be wandering around org/camp. SB = said MC could get you in a lot of trouble, MC goes off half cocked a lot, MC trying to get involved in campaign, the knut of guy thinks it a good idea to to send \$130,000 to Stormy Daniels

Dec 10

- told zero deals around Russia & Trump org,
  - Credibility = know no Russians, know how colluding
  - Came up during campaign a couple times →
  - SB → never asked about any Russian bus. deals
  - Felix Suter - SB → this goes back to the house intel, that they had a signed term sheet in Dec 15 on Trump Power Mexico, big deal for SB, ↓ in T.D., then reveal to SB

b5 per DOJ/OIP

b6  
b7c

FBI(19cv1278)-219

b5 per DOJ/OIP

b6  
b7c

SB - ~~not~~ aware of any financial agreements,  
to Stormy Daniels, accusers, or relationships  
of DJT

- SB talked to Breitbart guys about 130k  
payments, not to administration  
- not aware of any other payments  
made

- 130k speculate, SB thought it might  
be David Pecker → ~~earthquake~~, didn't think  
anyone around Trump org. would be close enough,  
to impact the election.

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

- ~ never heard of m.c. arranging for DOJ to  
 arrange for ~ spend on an online platform,  
 m.c. talk about concepts for Trump Org.  
 - SB → NY + about bus. dealings with Fusion  
 + Trump Org./candidate

FBI(19cv1278)-222

Police Suter was told in that, SP was  
aware of before becoming involved

shouldn't discuss when was a campaign

Stones came to work March April 2016,

- later stages of campaign, house in

Palm Beach, didn't get any traction. Never

discussed with Candidate on Palm Beach house,

had plausible explanation.

b6  
b7C

b5 per DOJ/OIP

8.

- ~~SP~~<sup>SP</sup> - never remember getting email, don't recall  
any conv. about S.M., no discussion w/nt campaign  
on S.M. issue.

b5 per DOJ/OIP

b6  
b7C

b5 per DOJ/OIP

b6  
b7C

(23)

- reaching + putting office in Jan. 16, help reveal
- he was a big deal to SB, countered what heard about F.S. by he candidate
  - SB did some inquiries, the intercom, for, he guarding, also news, → they trying to track down
  - know info, so not surprised again
  - brief, approx 15 mins

- CA, May 2015

- vice Chairman + owned 2 1/2%, upto 5 option
- didn't speak to [ ] or infreq, infrequent periods

b6  
b7A  
b7B per DOJ/OIP  
b7C

Doc 12

- think this is not CA, Barbara Laleen
- Clinton Cash May 15, FOIA request comes through, 33,000 missing, <sup>GAE</sup> analyze, 33,000 → tie directly to influence peddling at State Department, SB → open to finding as private citizen + head of Breishart, Barbara → knows a guy, 12 dozen meetings to how get 33,000 ends, ascertaining get, not validate. didn't get any car samples, stopped search.
- 33,000 → Clinton Cash, <sup>related to</sup> pay for pay <sub>book</sub>

Doc 13

- green light = data operation for water targeting, Corey presentation, wasn't <sup>from</sup> returned, To Corey

(24)

- CA, involved, after Cruz officially withdrawn  
 - around June, offers into [redacted] to  
 Paul & Ivanka, 1st time SB met David &  
 Ivanka, said fine, presenters  
 - no

b6  
b7C

Doc. 14

- Don't remember sending it, never went to city,  
 Don't remember talking to [redacted] about it,  
 would characterize as an approval, Don't know if  
 [redacted] reached out

b6  
b7A  
b7B per DOJ/OIP  
b7C

- June = not familiar with CA trying to  
 get in touch with [redacted]

- probably dropped

- No idea where [redacted]

- [redacted] CA, focus on getting a bus in  
 U.S., all a little bit fantastical, like James Bond, →  
 ideas like this on [redacted] knows a guy who knows a  
 guy

- GP - during transit, next remember talking about  
 Egypt campaign → GP wants to get involved  
 in setting up the meetings

- Campaign, made a decision, to  
 take a couple days off during U.N. visit & meet  
 foreign leaders, SB was against, in C.I.C. sell,  
 H.C. committed to it, limit it to Egypt, Israel,  
 maybe a couple others. JK → Israel, SB/MF, (S)

Egypt  
 FBI(19cv1278)-225

- Not worth push GP out
- Committee in March 1964, called G.L., why put 1st out, nobody knows GP's point out, sessions, showing model G.L.

Daniel S.C.

- GP Pennil Chain, thought GP was George Gigant, SB's gently blowing GP off, SB's I don't need this guy, MR will be on the hook for it, don't need GP

- GP - never told SB about Russians having dirt on Clinton, or anyone else in campaign, or S.M. clout.

- SB - had all the dirt on Clinton cash, wanted more, didn't need any more clouts like GP & SC, that's real dirt

GP  
- didn't hear anyone talk about

b6  
b7A  
b7B per DOJ/OIP  
b7C

- 1st met

- GP Pennil or phone, 13, 14, on brief bars,

(29)



[redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[redacted]

- S. Muberg = ran the thing, one camp  
man had, did a damn good job,

b6  
b7A  
b7B per DOJ/OIP  
b7C

Doct 15

- think he has the wrong name there, [redacted] who  
they got rid of, ParScale, 7 little data center  
on 15th floor,

- introduce to data guy, don't  
remember, Jan 16, maybe [redacted] had  
some ideas about it

- ~~add~~ not think it's [redacted]

[redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[redacted]

↓

(27)

b6  
b7A  
b7B per DOJ/OIP  
b7C

- aug 2016

- money situation = JK was merge of digital  
and fundraising, SB → CPO of campaign Sunday  
Debt Dewitt

night meeting, had almost no cash, only small  
from online, losing cash, close by double digit,  
1st debate coming, need \$50 million from Trump  
becomes \$10 million from Trump. was still down, 3 1/2  
down.

email into

- don't remember this

b6  
b7A  
b7B per DOJ/OIP  
b7C

email text received from

- looks like

on Facebook,

project for CA.  
Project

CA. Can help me to target

might be a

b6  
b7A  
b7B per DOJ/OIP  
b7C

28

b6  
b7A  
b7B per DOJ/OIP  
b7C

Dec 20

[redacted] Don't remember [redacted]  
wanted to talk with him.

- <sup>m</sup>Malloch - suggested he's a writer, breitbart/anal, professor on faculty in London, later

Dec 21

- No contact with [redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

- didn't meet personally with [redacted] during campaign  
- need to sit down [redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

(29)

b6  
b7A  
b7B per DOJ/OIP  
b7C

~brent 10-15 minutes

enough - 1st time

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

b6  
b7A  
b7B per DOJ/OIP  
b7C

SB-9 always  
interested about 35,000, not interested in protest  
not going to impact

- mass letters

- ~~own~~ belief

may have told SB → Aug during campaign  
not at 192 but 4

FBI(19cv1278)-231

(31)

[REDACTED] b6  
b7A  
b7B per DOJ/OIP  
b7C  
[REDACTED]  
[REDACTED]

- SB → interest in verified 33,000  
emails related to uranium one  
- 33,000, talked to ~~candidate~~  
candidate,

manufact story broke went right to Clinton  
cash + uranium one. SB → said it was  
way too late

- after came on campaign, got into  
WBS need 33,000 emails important + Steven  
Miller, DST was focused on cracked Hillary  
and uranium one, 33,000 wasn't right at the  
it. Didn't think get in that timeframe,  
never discussed that Russian could have  
had it, SB → spent some time, hackers in  
hackers nightmare, it  
Paul Manafort  
might have it,

DST → not much of a response, every now  
+ then he would bring up 33,000. One time  
 Podesta emails released = is this a b50 to deal

[REDACTED] b6  
b7A  
b7B per DOJ/OIP  
b7C

- No attempts to get 33,000 during campaign (32)  
unverifiable

- might have had DBC on finding 33,000 emails, MF Kellogg
  - ↳ don't remember might have
  - SB releases, not that big of a deal, important 33,000 emails
  - Kellogg = same stuff, not a cyber guy

Rehee → talked about

b6  
b7C

campaign  
attacker  
day, ~~side~~ side  
- email - much ads about nothing  
think MF might have an idea/company, not sure emails, something about cyber, SB →  
~~side~~ talk to ParScale/cyber guys

- digital guys, talk to them, brought Anasco, by on 13th, meeting with MF maybe someone else, ParScale, small ParScale digital office, don't know if anything came out of it.

b6  
b7A  
b7B per DOJ/OIP  
b7C

- Billy Bush, 1 hour later Podesta emails came out, ~~tape~~ SB → thought built up to Podesta

b6  
b7A  
b7B per DOJ/OIP  
b7C

(35)

- [REDACTED] b6  
[REDACTED] b7A  
b7B per DOJ/OIP  
b7C

- 55 mins, 3-call, 4- came out Billy Bush  
+ PE, called with post, SB → give us audio,  
we'll verify on Monday,  
- got transcripts the day a called  
general counsel, was quick

b6  
b7A  
b7B per DOJ/OIP  
b7C

- Knows [REDACTED] b6  
- send email to SB b7C

July 25,  
2016

- [REDACTED]  
[REDACTED]

- didn't take any action related to this  
- don't remember talking to [REDACTED] on campaign

- [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

↓

(34)



DDT

- looking for known DDT Russia, I have 32 as  
enroute release candidate -  
- if they came out would have an interest

[REDACTED]

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

L K

(37)

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

DOC 27

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

SB → asked

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- FR was going to have a  
fund raise for Trump → his Commencement

don't know a [REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

- don't remember introducing [REDACTED] to any other donors  
maybe [REDACTED]

- don't think [REDACTED] ever met with him

- don't remember helping others with funds besides  
[REDACTED], didn't want to be tied up. remote chances

SB →

[REDACTED]

(37)

- SS- didn't see it as a potential coordination  
issue with [redacted]

b6  
b7A  
b7B per DOJ/OIP  
b7C

- try to show enough respect

[redacted]  
[redacted]

Doc 29

- don't remember receiving his message, but PM's  
don't know if anyone else in contact  
with wife, kids or try trying to get in contact  
or trying

- discussion on wife's kids = having <sup>yes</sup>  
with impact or whatever, in campaign

- don't think anyone had any idea on  
where they came from, how they got

<sup>SB or else</sup> - don't remember reaching out to [redacted] or  
wife, or internally to see what information  
might be coming.

b6  
b7A  
b7B per DOJ/OIP  
b7C

Doc 33

- Manafort had zero involvement in campaign

- if response to his that PM will be  
telling everyone

- not aware PM was advising involved in  
campaign after his ouster

b6  
b7A  
b7B per DOJ/OIP  
b7C

- HH said were not, someone who he  
talked to, Cardozo - nothing, said that  
contact with [redacted] or PM

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↓  
32

- SB knew they were going to him,  
- using military & direct connection  
maybe, link to Manafort, could be linked  
to Russia worked to

- 3 phones

- just those 3

dislike

- campaign n phase, secure phase

- iPad = don't use much, dislike

- pro not aware phone setup so not archive  
text & text messages, not aware, guy who  
setup, was a surprise

- campaign

- no secure apps,

- transition

- NO slack, whatsapp app, wickr

- got close to Lewis administration

- Setup proton mail, signal

↳

- proton mail, increased security,

not from people in admin, dislike use or

- not used at receive  
with simulator  
no admin  
current

- slack, did not have a slack channel

never used slack, Breitbart used = trying to shut down

- wickr - EP talking about secure,

Setup after left admin

- signal

signal

based on  
Security

↳ EP BP → wickr,

[redacted]

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- Not a lot of  
people

[redacted]  
only former

b6  
b7C

b6  
b7C

(39)

- in admin - not fear of anyone using 3rd party
- briefing federal records, keep these,
- text messages = don't remember should keep and federal records ~~act~~ act
- personal white house email's
- don't remember as personal phone text for w.h. business
- don't remember text on govt devices, text on personal device, might have don't remember, never heard text messages should be saved discussion,
- or personal device texts should be saved

8/20/2017

- B.D. → wickr pro for Brett Bart

- primarily used the white house email in administration
- sent, new people on white house,
- arc-out if got them, to respond, on account gave to ~~officer~~ official to assistant to send to

[redacted]

b6  
b7c

white house account for archival

- didn't think about text <sup>personal</sup> messages, & to be archival, didn't think about. don't remember if text messages qualified under federal records act

(40)

b6  
b7A  
b7B per DOJ/OIP  
b7C

- please remember [ ] or [ ] to look at for  
SB's emails to archive,  
- [ ] had access to ancient emails,  
SB gave her full access

From: [REDACTED] Breitbart  
 Sent: Mon 7/24/2017 5:05 PM (GMT-04:00)  
 To: Steve Bannon  
 Cc:  
 Bcc:  
 Subject: Re: Jared Kushner sealed real estate deal with oligarch's firm cited in money-laundering case | US news | The Guardian

b6  
 b7C

How do we prove that

That's game set match

Sent from my iPhone

On Jul 24, 2017, at 5:01 PM, Steve Bannon [REDACTED] wrote:

b6  
 b7C

Dude !!!

On Jul 24, 2017, at 4:30 PM, [REDACTED] Breitbart [REDACTED] wrote:

Wtf!!!!

Sent from my iPhone

On Jul 24, 2017, at 4:26 PM, Steve Bannon [REDACTED] wrote:

He was on 'vacation' off the coast of Croatia with a Russian billionaire when I took over campaign

On Jul 24, 2017, at 4:23 PM, [REDACTED] Breitbart [REDACTED] wrote:

b6  
 b7C

A progressive activist w ties to pelosi told me that

Don't know if true

Sent from my iPhone

On Jul 24, 2017, at 4:21 PM, Steve Bannon [REDACTED] wrote:

WTF

On Jul 24, 2017, at 3:04 PM, [REDACTED] Breitbart [REDACTED] wrote:

I heard he had a meeting w WIKILEAKS in Europe last year. Nothing to verify yet but I heard it happened from a fairly reliable source. Just FYI.

Sent from my iPhone

FBI(19cv1278)-286

~~Confidential - Confidential Treatment Requested~~

SB\_00006329

On Jul 24, 2017, at 3:01 PM, Steve Bannon <[REDACTED]> wrote:

b6  
b7c

All and everything

On Jul 24, 2017, at 2:59 PM, [REDACTED] wrote:

k this is big though isn't it? It's the ball game...

Thanks

[REDACTED] Breitbart News

-----Original Message-----

From: "Steve Bannon" <[REDACTED]>

Sent: Monday, July 24, 2017 2:49pm

To: [REDACTED]

Subject: Jared Kushner sealed real estate deal with oligarch's firm cited in money-laundering case | US news | The Guardian

<https://www.google.com/amp/s/amp.theguardian.com/us-news/2017/jul/24/jared-kushner-new-york-russia-money-laundering>

Don't touch yet

FBI(19cv1278)-287

~~Confidential—Confidential Treatment Requested~~

SB\_00006330



①

From: Erik Prince [REDACTED]  
To: Steve Bannon [REDACTED]  
Cc: [REDACTED]  
Bcc: [REDACTED]  
Subject: Talking Points, second attempt  
Date: Tue Sep 08 2015 00:59:37 EDT  
Attachments: Talking Points.pdf  
Untitled attachment 37411.txt

b6  
b7c

## MEMORANDUM

FROM ERIK PRINCE  
 TO: TRUMP CAMPAIGN  
 VIA: STEVE BANNON  
 SUBJECT: Defense and Foreign policy talking points

## IRAN

It is important to note that the "Arab Spring" actually started in Persia in June of 2009, long before protests in elsewhere. Throughout Iran there were at least 2 million people in the streets protesting the Regime and demanding political economic and social freedoms. All the people on the streets needed was a little verbal encouragement from the West but none was forthcoming. Total Silence from Washington. The Iranian regime was so in peril that they didn't even trust their own Iranian forces to come in and crack down on the protests but instead imported Lebanese Hezbollah surrogates to come in and break up the protests, murdering, arresting and hanging their way to success.

The Middle East is now experiencing a full on Sunni vs. Shia war. KSA (Saudis) are threatened as the "capital" of Sunni Islam and defender of the Holy Places of Mecca and Medina. The Iranian/ Persian military dictatorship is fully engaged to dominate and enjoy hegemony over the entire region in a way not experienced since the Persian empires of the 7th and 8th Centuries. Persia was originally "Islamized" by the Arabs and the Sunni vs Shia contest has simmered or boiled since then. We are now in an intense period of boiling, only to be exacerbated by the horrible Nuclear Deal negotiated or actually capitulated by the Obama Administration. The goal of Iran from the beginning is to drive the US from the Middle East and dominate the vacuum remaining. With nuclear weapons and the considerable bonus of the released Sanction funds the Iranian Regime will be well primed to continue their strategy. They are a very deliberate people. This is a society that places up to a thousand stitches in a square inch of a Persian rug. **They have been focused on a path to regional dominance and they are winning.**

Since the 1979 Iranian Revolution the Iranians have been building and exercising their unconventional warfare capabilities. **Qassem Soleimani** runs the Quds force which is the Special Forces Unit of the **Iranian Revolutionary Guards Force**. The IRGC is really the military dictatorship of Iran. They dominate the entire Iranian society and Armed Forces just like the SS dominated the entire society and Wehrmacht (German Army) of Hitler's Third Reich. Qasem Soleimani is the Heinrich Himmler of the Iranian State. He is the muscle that keeps the Supreme Leader Ayatollah Khameni of Iran in power. The 12 man Guardian Council is their inner circle and effectively chooses any candidates for power. Rouhani may be the President of Iran but the real power is the Supreme leader and the Guardian Council. Soleimani is their muscle.

**The Quds Force** is the worldwide special operations arm that's very effective at its asymmetric and surrogate warfare mission. It is how the Iranians dominate Lebanon (and threaten the north of Israel) through their Shia proxy Hezbollah( Hizb Allah- Party of God, leader **Hassan Nasrallah**). Hamas (Leader: **Khaled Meshaal**) in the Gaza Strip is their Palestinian Proxy and who fires all the rockets and sends suicide bombers to Israeli civilian targets. (Hamas is Sunni but still their hate tool against Israel). It is also how the Iranians dictate/support Iraq though Shia Militias, and the Houthis (also a Shia minority group in Yemen).

The Quds Force has been killing Americans from the very beginning. Their sponsored major terror acts include blowing up the U.S. Embassy in Lebanon, the Marine Barracks bombing in 1983 (241 USMC killed in action), kidnaping torture and murder of CIA Station chief Buckley (they even sent the torture tape to Langley), numerous other kidnappings and bombings against American and Israeli targets. Of late it is the Quds Force that supplied Iraqi Shia extremists with a extremely dangerous Improvised Explosive Device IED (road side bomb) called an EFP- Explosive Formed Penetrator which slices through almost all US armor and causes hideous injuries and death to the vehicle occupants. The Iranians have killed and maimed thousands of Americans in Iraq and Afghanistan. That Soleimani and his ilk are not already DEAD is a national disgrace for America.

#### SYRIA

It is via a combination of Lebanese Hezbollah and IRGC troops that Iran supports Bashar Assad directly in Syria. Iran supports Assad in Syria because Syria was the logistics bridge by which Iran has flowed all the weaponry into Lebanon over the last 35 years. It is also a matter of Shia Solidarity. The Hafez Assad Bath Party Regime took power in 1970 by force. It is an aberration in Syrian history since The Assad family is Alawite, a Sect of Shia Islam. Alawites represent only 12% of the population and were long persecuted by the majority urban Sunnis. It would be like a Dalit/Untouchable becoming President of India. The Sunnis in turn for the last 45 years were persecuted and kept in check by force. When Hafez Assad died, his son Bashar was not in the family dictatorship business at all. He was a dentist living in London and leading a normal life with an attractive, western dressing wife. He quite reluctantly returned to run the country and actually made a number of entreaties to the U.S. wanting to improve relations. As the Arab Spring chaos spread to Syria the Sunnis leapt at the chance to resist. The Alawite dominated army backed by Soviet/Russian weapons tried to crush all resistance with conventional power of armor/artillery and carpet bombing causing massive carnage and starting the largest refugee crisis in Europe since WWII. There have been massive casualties suffered on both sides. It is estimated that 1 of every 3 Alawite males of military age have already been killed in the fighting. It is a blood and religious feud without any chance of peaceful resolution while ISIS or other radical Sunni forces exist. Assad cannot capitulate because if he leaves or loses it is a war of Tribal Extinction. The coastal living Alawites of Syria would be en masse slaughtered. The solution for Syria is inextricably linked to Iraq.

#### IRAQ

Iraq was dominated for decades by another Bath Party member, in this case a Sunni named Saddam Hussein. His removal caused great hope for the Shia majority in the south, the persecuted Kurds in the north and wariness among the Sunnis in the middle and west of the country. Democratic elections in the country were ill advised as they were bought and paid for by Quds Force money and intimidation throughout the Shia south especially. The Mahdi Army and Badr Corps became the lead surrogates among the many Shia militias in Iraq. They quickly became more organized and formidable than the Viet Cong ever were in Vietnam. They were the tool used to infiltrate and dominate the levers of power in Iraq. They effectively purged Sunnis from Baghdad and from the spectrum of security organizations. The premature pullout of US forces unleashed Shia extremism and caused the beleaguered Sunnis of Iraq to make the Faustian bargain to cooperate with ISIS who promised to protect them from Shia aggression. When ISIS rolled into northern Iraq they captured 5 heavy divisions of Iraqi army equipment and

3 major logistics bases stocked with US made ordnance, supplied and funded by the U.S. Taxpayers.

ISIS is a very adaptive and clever foe. The recent U.S. Drone strike is the first of its kind against a computer hacker. That the USG needs to marshal its forces to kill their hacker is indicative of their growing and not receding capabilities.

They flow very smoothly from small 2-4 man terror cell teams up to 1,000 man or more conventional fast moving light cavalry operations. Although they have no airpower they still have precision strike capabilities. They utilize an armored vehicle loaded with explosives and a suicide driver to deliver ordnance on call for their commanders, keeping a number of prepped vehicles on call for immediate response to the tempo of combat.

They see exactly how the U.S. playbook reads and they have adapted to it and are largely unfazed by it. They have an unprecedented incoming supply of recruits because for Islamic Extremists, Syria is the Super Bowl of Jihad. Young jihadis showed up to fight in Afghanistan against the USSR then the USA, they came to Iraq for Jihad but Syria is their main event for all eternity. For every loser seeking meaning in their life that's dabbled in Koranic studies, they find all the prophesy they need to support an Isis Caliphate. Isis provides them with training, equipment, income and a steady supply of the spoils of war to fulfill their sickest fantasies.

**Abu Bakr al-Baghdadi**, is a serious player and has taken an Al Qaeda business model to the next generation. He's an Islamic scholar that's quite adept at building an organization that governs, recruits and advances its goals. While AQ was a dispersed terror organ, ISIS is a terror state with increasingly global reach that also holds a large amount of terrain, equipment and ongoing revenue streams ranging from crude oil, kidnapping and extortion. They derive legitimacy by surviving in the face of the feckless efforts to defeat them. Their lean and dispersed command structure allows for rapid decision making and limits damage caused by the occasional successful USG drone strike. They have a world class communications and social media outreach that serves to promote their brand and aid in recruiting. Their monthly online newsletter Dabiq is widely enough consumed across the world's 1.5 billion Muslim population to cause a worrying stream of incoming recruits.

The newsletter is named for a city north east of Aleppo in Syria. There are numerous Koranic end time prophesies about the last great battle that will occur in Dabiq where the armies of Jihad defeat the army of the north (Christendom). A bold move by the Next President would be to give them the fight they so desperately seek. Moving a couple thousand US marines nearby Dabiq, in a position to threaten the city would be a bait that ISIS couldn't resist, like flies to a lantern. The U.S. is frankly lousy at counterinsurgency but does industrial level war very well. Let the small American force hold out defensively for a few months while ISIS moves more into the area and then unload on them with everything non nuclear we have. (24/7 B-52's, Fuel Air Explosives, artillery, rockets, cluster bombs, etcetera). Kill everything in every grid square surrounding those Marines, while also flattening Dresden style their Caliphate capital of Raqqa Syria. Nothing will be as demotivating for their recruiting efforts as well publicized video of total destruction of their forces. As gruesome as that may sound, they think with medieval perspective and you must give them a pounding they will understand.

The long term solution is to adjust the map of the Levant. When the U.S. pulled out of Iraq the country was still intact. The absence of US presence unleashed the Shia extremism instigated by Quds forces. The Iraqi PM Maliki fired countless competent Sunnis from the Intel Service,

Army and Interior Ministry. This truly disenfranchised the Sunnis who found themselves without jobs, income, electricity or protection. When Isis was active across the border, the Sunni tribes made the Faustian bargain to cooperate with Isis since the Shia were treating them horribly already. The Sunni mistake is obvious and they will never ever reconcile with Shia run Baghdad. Neither will the Kurds who are consistently deprived of weapons and oil funds they are due, ever want to slay part of Iran/Shia dominated Iraq.

Assad in Syria has already indicated he's willing to have a power sharing agreement. It is time to undo the WWI era Sykes-Picot agreement drafted by the French and British. That map was drawn for their colonial interest and not based on any tribal or cultural logic. The USA should provide real leadership and support the redrawing of the Levant borders once and for all. Accept that Syria and Iraq are done even though it's theoretically possible to rebuild a shattered glass vase, the expense in blood and treasure has already been far too high.

A free and independent Kurdistan is the first place to start. The Kurds could unify the northern part of existing Syria all the way to the Mediterranean sea. Kurds are already halfway there by already taking Khobani Syria. Nineveh province would become a long needed Christian homeland adjacent to Kurdistan. A unified Sunni nation consisting of western Iraq and eastern Syria. Arming the Kurds and the Sunni tribes in their own homelands would eliminate the sanctuaries where Isis can exist and thrive. Isis can be destroyed with conventional combat power either fielded by the U.S. and Arab allies or it can all be rented from private contracted forces to fight alongside Arab neighbors and the indigenous civilized populations. Once the large scale conventional Isis capabilities are annihilated, the isolation and elimination will be simpler among unfriendly populations defending their lands.

Finally, Lebanon has been a battered state since WWI, enduring a famine induced by the Turks that killed over 200,000 and wars, assassinations and non stop strife. Lebanon is effectively a rump state where the Iranian sponsored and heavily armed Hezbollah militia hold complete sway over the impotent government. (Hezbollah are the guys that fought the Israeli Defense Force to a standstill in 2006). Let the Shia parts of Lebanon go with Assad and the Alawites along the coast.

Sadly it's necessary to reorganize the troubled neighborhood that is the Middle East. Absent some clear actions, the world will be dealing with second and third order metastasis from a Caliphate growing stronger every month.

As one considers how the country defends itself going forward, some perspective how we got here as a nation is needed. The tools of warfare have advanced rapidly and some mistake that changes in Tech mean the old facts of war: deceit, fear, casualties and annihilation are past. They aren't. Some brief history:

#### **Generations of War**

First Gen: Moves at the speed of foot/horse, no electronic communications. Linear war: American Rev and Napoleonic Wars

Second Gen: Trench warfare, Little maneuver. Industrial slaughter. Begin automatic weapons (American Civil war and WW1)

Third Gen Warfare: Blitzkrieg, maneuver on sea air and land. ( carrier battle groups, strategic nuclear triad and Combined Air land battle doctrine) What the USG trained and equipped for the entire Cold War and what the entire military industrial complex still wants to fight. Very high cost and exhausting, cannot be sustained for long periods. (Gulf War 1, 2003 Iraq Invasion)

Fourth Gen Warfare: Non state actors organize the proliferation of commercial Technology that just 20 years ago was highly classified. (Using Google earth to plan base mortar and rocket attacks, more computing power in an iPhone than aboard Apollo 11) The 9/11 attacks utilized the most cost effective weapon system in history, box cutter knives and suicide fanatics. A \$500k attack has cost the U.S. taxpayer trillions and surrendered liberty. The USG is still fighting its current challenges of surrogate warfare with all its 3rd gen warfare gear, tactics and mindset.

The USG has mastered the most expensive ways to wage war. The defense and intel budgets consume more funds than the next seventeen countries combined. **We effectively try to mow the lawn with a brand new Rolls Royce.**

Examples: the Lockheed Martin F-35 is the most expensive weapon system in the history (\$1.4 Trillion for program duration) of the world. Read the article it will explain how badly politicized the acquisitions process has become. The F-35 is built in 45 of 50 states but despite its bright claims its way behind where it should be. There was a recent dogfight fly off between a 30 year old F-16 carrying two large drop fuel tanks vs. a clean configured new F-35. Result: old F-16 spanked the shiny new F-35. All these shiny expensive tools have no role fighting a 4th Gen foe.

<http://www.vanityfair.com/news/2013/09/joint-strike-fighter-lockheed-martin>

I can bore you with examples if you want to read further...

What this means is that trying to fight a 4th Gen war with our 3rd Gen Military is exhaustingly expensive and ineffective since it prevents the adaptation needed to out innovate the 4th Gen foe. We have bureaucratized warfare to an unparalleled level and the cost exhaustion and failures in Iraq and Afghanistan bear witness. We still have more Admirals than Navy ships. We have allowed lawyers to second guess every decision made by field commander. If troops need Close Air Support while fighting in Afghanistan, they shouldn't need to ask permission from a U.S. lawyer sitting in Qatar.

There are a host of ways to fight 4th Gen wars better and ways to cut massive amounts of fat out of the defense budget but we can wait till after the election for that. More defense spending isn't needed, better leaders and smarter spending is. When you have a failing investment, any smart investor doesn't throw more money at the problem. Instead you change leadership and the business plan. All of Washington will tell you to spend spend more, we all know how consistently wrong their paradigm is...

Why does Russia care about Syria and Iran?

Syria and Iran have remained the most consistent client states of Russia since Assad took over in 1970 and the Iranian Revolution in 1979. They are significant weapons customers and the Syrian Port of Tartuz provides Russia their Mediterranean Navy Port.

A little known fact is that the Iranian Supreme Leader Ayatollah Khamenei attended the Patrice Lumumba Univ. in 1983 in Moscow which was the primary recruiting ground of the KGB. He's had a closeness to the Russian Security service ever since. The recent deployment of Russian troops were primarily Forces from Eastern Ukraine that sided with Russia when Putin started his surrogate war. Now that the abuse of all Ukraine has continued those troops loyalty to Russia is suspect so he solved two problems sending them to Syria.

**Afghanistan:** The country is consistently failing further and further. The U.S. and allies have created a completely welfare nation. The Afghans have no ability to generate sufficient revenues to provide any level of government service, let alone their expensive military built in the image of the U.S. Army. The list of failures and errors are too long to catalogue here. It is salvageable but with a low cost approach more in keeping with the British East India Company and not how the U.S. Military has blown through a Trillion dollars over 14 years with little to show. The private model to Afghan security may be too much for people to handle but at least budgetary discipline must be imbued to the field decision makers just like authority and responsibility must be pushed down to the lowest possible level.

#### **China**

As a country the PRC has a real problem with Islamic terrorism. It is an area we can be working closely with them as they have problems that leak into China from Afghanistan. In the northwest province of Xinjiang which borders Afghanistan lives a non ethnic Chinese minority's called the Uighurs (pronounced: We -Wers). They consistently have committed some large acts of terrorism from truck bombs, driving fast through a market with a truck, a multi attacker knife fight in a train station that killed 29 people etc. the government responds with a very heavy hand. Also there's been controversy about the PRC claiming entire regions of the South China Sea as territorial waters including waters belonging to their neighbors. They stake their claim by building dredged islands with ports and airfields on the newly created land. Much of this provocation causes internal strife between the party and the PLA. These unnecessary moves are easily thwarted if America used its intelligence services properly.

**Russia:** Vladimir Putin is a former KGB officer who understands how to wield power. That's been his entire life's work. He sees himself as the next Peter the Great and as someone who. Will reassemble the grandness of the Soviet Empire. He is hell bent to destroy NATO and demonstrate it to be an empty feckless vessel. He's well on his way with the invasions of Georgia, a massive hybrid war ongoing in Ukraine. You should look to him to provide some major provocations in the remaining time of the Obama Administration. He's restarting the Cold War in every way, even now building 40 new state of the art Mobile nuclear missiles, each carrying four warheads. Think of that, 160 American cities vulnerable to extinction from brand new weaponry. Putin has no real opposition and his propaganda goes not only unchecked but even unanswered by America and the west as the U.S. Govt has downsized or cancelled much of its VOA World service. People that live in oppressed areas really do listen, and they listen even harder when their host government tried to jam the signals. Putin can be managed but the full spectrum of statecraft must be unleashed on him. Russia is a far greater threat than China.

As one studies the continuum of options for a policy maker to respond on a national security or prevent a diplomatic incident, the options currently range from diplomats and press conferences "strenuously denouncing" some unwanted national behavior to quickly giving way to air strikes

and predator drones. In the middle of this continuum there should exist a whole other tool kit of options to draw on long before uniformed soldiers and jet bombers arrive on scene. For the \$80 billion spent on the intel community now we are missing that tool kit of Political and Surrogate warfare, covert action, sabotage, information war, propaganda etc. Yes those actions are difficult and come with risk but they are entirely indispensable at crucial junctions in a nations conduct. We are missing these dark arts now. Our Intel services are risk averse to the point of impotency. Many of the brush fires consuming the Middle East, Africa and SE Asia could have been solved by timely Covert Actions. Specific problems and solutions sets can be addressed in person.

**Veterans Administration :** The Federal Government has no business running health care systems. There are a reported still 600,000 and even up to 1,000,000 vets are still waiting for health care. An IG report found 300,000 deceased Vets still on the rosters for receiving care. Clearly government medicine is never going to get it done. Scrape the VA off and unleash the finest private healthcare system in the world. Vouchers work for broken public schools, use the same paradigm for our Wounded Vets. They can use a Tri-care like access ( like any retired military veteran) for private healthcare. Privatize the VA hospitals and turn over their administration to some of the successful not for profit health care networks in America today. The easiest way to do this is to offer Vouchers for the Vets so they can opt out of a failing system. No one can criticize you for throwing the ones that are waiting an immediate lifeline. They will all end up opting out and the system will contract and fold as it should.

Thanks for your time

I can be reached at [REDACTED]

Keep fighting.

b6  
b7c



From: steve bannon [REDACTED]  
To: corey r lewandowski [REDACTED] corey r. lewandowski  
Cc: [REDACTED]  
Bcc:  
Subject: Talking Points.pdf  
Date: Tue Sep 08 2015 04:07:00 EDT  
Attachments: Talking Points.pdf.PDF

---

b6  
b7c

From : Steve Bannon [REDACTED]  
Sent : 9/8/2015 4:07:46 AM  
To : Corey R Lewandowski [REDACTED] Corey R. Lewandowski  
Subject : Talking Points.pdf  
Attachments : Talking Points.pdf  
[REDACTED] worked this up for u guys

(2)

From: Steve Bannon  
Sent: Sat 9/12/2015 2:01 PM (GMT-04:00)  
To: Corey Lewandowski  
Cc:  
Bcc:  
Subject: Re: [REDACTED]

b6  
b7c

Smart

Does DJT want a telephonic briefing from prince?...can set that up for 6pm today

From: Corey R. Lewandowski [REDACTED]  
Sent: Saturday, September 12, 2015 1:59:29 PM  
To: Steve Bannon  
Subject: Re: [REDACTED]

Yes. Good. We are meeting with Flynn on Monday

> On Sep 12, 2015, at 12:58 PM, Steve Bannon [REDACTED] wrote:  
>  
>  
> Just got off the phone w/ him  
>  
> Did u get a chance to review his briefing memo?

~~Confidential - Confidential Treatment Requested~~

SB 00018818  
FBI(19cv1278)-306

③

From: [REDACTED]  
To: Steve Bannon [REDACTED]  
Cc: [REDACTED]  
Bcc:  
Subject: Re: Breitbart News  
Date: Sat Dec 12 2015 14:20:52 EST  
Attachments:

b6  
b7c

Hey want to talk with you about the things we need to do regarding data collection

Thanks,

[REDACTED] Breitbart News

b6  
b7c

Sent from my Verizon Wireless 4G LTE DROID

Steve Bannon [REDACTED] wrote:

[REDACTED] is our [REDACTED] and working on a story about the rubio/christie versus cruz/rand fight over NSA and the approval of the post-patriot act surveillance

(4)

From: Steve Bannon [redacted]  
To: [redacted]  
Cc:  
Bcc:  
Subject: [redacted]  
Date: Thu Jan 14 2016 19:58:07 EST  
Attachments:

b6  
b7c

There is a guy I know very well currently living in india [redacted]  
[redacted]-smart guy [redacted]...he is  
muslim and could be a great asset to intel community

Do u have anybody in india who could meet w/ him and check him out

(5)

From: EP [REDACTED]  
To: Steve Bannon [REDACTED]  
Cc:  
Bcc:  
Subject: Re:  
Date: Thu Mar 17 2016 03:55:48 EDT  
Attachments:

---

b6  
b7c

Yes and yes!

Erik Prince

- > On Mar 17, 2016, at 08:53, Steve Bannon <[REDACTED]> wrote:
- >
- > Can I get u on the show on monday???
- >
- > R u still up for meeting trump?

From: EP [redacted]  
 To: Steve Bannon [redacted]  
 Cc: [redacted]  
 Bcc:  
 Subject: Fwd: Recommended meeting  
 Date: Mon May 23 2016 15:04:44 EDT  
 Attachments: FullSizeRender.jpg

6  
 b6  
 b7c

Resend with ☐ included.

Erik Prince

Begin forwarded message:

From: EP [redacted]  
 Date: May 23, 2016 at 2:02:37 GMT+4  
 To: Steve Bannon [redacted]  
 Subject: Recommended meeting

b6  
 b7c

Steve [redacted] Russia's actions in the Ukraine, the Middle East and their more aggressive posture of late are certainly issues that Mr Trump needs to understand fluently. Please consider meeting with Oleg to hear the perspective of a nation on the receiving end... He's the Nat Sec Adviser of Ukraine. He will be in DC from Tuesday to Friday this week.

Oleg is being escorted by my good friend [redacted] from LA. He's in the aerospace business.

Once you have any approvals needed we can sort the meeting logistics.

Best  
 Erik Prince

Owner: EP   
Filename: FullSizeRender.jpg  
Last Modified: Mon May 23 15:04:44 EDT 2016

b6  
b7c

**Hladkovskyy Oleg Vladimirovich**  
First Deputy Secretary of the National  
Security and Defense Council of Ukraine





7

From: EP [REDACTED]  
 To: Steve Bannon [REDACTED]  
 Cc:  
 Bcc:  
 Subject: Russia/US election  
 Date: Tue Oct 18 2016 19:30:50 EDT  
 Attachments:

b6  
 b7c

#### RUSSIAN ELECTION INFLUENCE ISSUE:

Mr. T should introduce an alternative narrative on this issue. Consider this response:

It's unclear to me if Russia is directly involved in attempting to influence the US election. That said, it's safe to say they are keenly interested, and likely using surrogates to poke into the US election process. Who does the Kremlin want to see in the White House? Ms. Clinton. They know her, well. Putin and his Foreign Minister Lavarov are skilled interlocutors. Professional, successful diplomat with some interesting postings in his career. Was he a real foreign ministry officer or an intelligence officer serving under cover on his multiple tours? The briefings I currently get don't provide this type of information. Whatever his status, Mr. Lavarov has a first person assessment of Ms. Clinton. He and Putin know her personality; they know her decision making processes. They know her inner circle members, all their weaknesses and vulnerabilities. They know Ms. Clinton's, personal and systemic weaknesses in the way she ran the State Department and how she responds to pressure and crisis. There is much to learn by analyzing Benghazi, Syria, Iraq and Iran policy development and implementation. All these major policy issues have failed to produce success or acceptable outcomes for the United States. It has always been clear in personnel performance evaluations that the best predictor of future performance is past performance. Ms. Clinton has a history of poor decision making, poor performance, and failure. One could ask, who does the Kremlin prefer in this election? It's crystal clear to me. YOU Ms. Clinton. They know you. They know your weaknesses and your penchant for recklessness, ignoring rules and regulation which has provided a treasure trove of sensitive information while you were Secretary of State. In other words, You are predictable. They prefer to deal with predictability and known deficiencies with a clear track record of bad decisions and failure.

I am largely an unknown. Unknowns carry risk for our opponents.

Sent from my iPad

FBI(19cv1278)-313

8

From: Erik [REDACTED]  
 To: Steve Bannon [REDACTED]  
 Cc:  
 Bcc:  
 Subject: Fwd: Bannon  
 Date: Wed Nov 16 2016 16:34:50 EST  
 Attachments:

b6  
 b7c

We are getting you more PR help. FYI.

Begin forwarded message:

From: Mark Corallo [REDACTED]  
 Date: November 16, 2016 at 22:32:52 GMT+1  
 To: [REDACTED]  
 Subject: Fwd: Bannon

b6  
 b7c

I spoke to her last night. Then she emailed this morning and I told her I was available. She still hasn't called back. But seen below that I sent to her.

Sent from my iPhone

Begin forwarded message:

From: Mark Corallo [REDACTED]  
 Date: November 16, 2016 at 3:47:16 PM EST  
 To: [REDACTED]  
 Subject: Bannon

b6  
 b7c

This is the key to winning. This is who he is. This is the message every reporter who is doing a "profile" of Bannon should receive. They should be told that everything they need to know about him and his worldview is right here. It's fantastic.

And I'd suggest calling me at some point when you have a chance to discuss a great opportunity with VF which could happen tomorrow.

[https://www.buzzfeed.com/testerfeder/this-is-how-steve-bannon-sees-the-entire-world?utm\\_term=.jqMQVJLMb#ixGBQKqDA](https://www.buzzfeed.com/testerfeder/this-is-how-steve-bannon-sees-the-entire-world?utm_term=.jqMQVJLMb#ixGBQKqDA)

And so he'll know he and I are of like mind, read this (and show it to him if you'd like).

<http://www.nationalreview.com/article/225904/can-i-bailout-bailout-mark-corallo>

Mark:

Corallo Media Strategies

520 North Washington Street

Alexandria, VA 22314

703-855-9705

[www.corallomediastrategies.com](http://www.corallomediastrategies.com)

(12)

From: Steve Bannon  
Sent: Mon 6/08/2015 1:07 PM (GMT-04:00)  
To: Steve Bannon  
Cc:  
Bcc:  
Subject: Fw: Fwd: CONFIDENTIAL PROPOSAL  
Attachments: CLINTON FOUNDATION BRIEFING AND EMAIL VECTOR PROPOSAL 05 17 2018.doc;  
ATT00001.htm

---

From: [REDACTED]  
Sent: Friday, June 5, 2015 8:24:10 PM  
To: Steve Bannon  
Subject: Fwd: CONFIDENTIAL PROPOSAL  
privileged and confidential

b6  
b7c

Begin forwarded message:

From: Barbara Ledeen [REDACTED]  
Subject: CONFIDENTIAL PROPOSAL  
Date: June 5, 2015 at 5:22:43 PM PDT  
To: [REDACTED]

Dear [REDACTED]

Thank you for calling me so promptly. Here is the proposal. I hope we can finally work together!  
Best-  
Barbara

~~Confidential - Confidential Treatment Requested~~

FBI(19cv1278)-322

SB\_00018384

## PROPOSAL FOR INVESTIGATIVE SERVICES

## Executive Summary

This is a proposal for obtaining and then providing multi-level forensic analysis of the emails of certain accounts linked to the former Secretary or State, Hillary Clinton, as well as other members of the William, Hillary and Chelsea Clinton Foundation because of its known acceptance of foreign money from organizations, institutions, individuals and cut-outs of dubious distinction.

Hillary Clinton created a private domain server to host her personal email account, and this account was also used for Official U.S. Government business. It is the intent and spirit of the law that high-level officials use only Government domains when conducting official business.

Preliminary research shows that millions of dollars were accepted by the Foundation at or around the time that the donors received a *quid pro quo* from the U.S. Government generally or the U.S. State Department specifically.

How the donations were characterized or washed before they landed at the Foundation in an effort to conceal the true owner is classic money laundering.

Key to any opposition research is to overlay advanced analytics performed by high-quality intelligence analysts using integrated visual analytic products that highlight connections, links, associations and relationships onto the databases. In other words to highlight that which is otherwise hidden in plain sight.

The issue is not whether data exists, but rather, sorting through the quantity of obtainable data and distilling from it the type of information that opposition research analysts use.

1

~~Privileged and Confidential - Attorney Work Product~~~~Confidential - Confidential Treatment Requested~~SB\_00018385  
FBI(19cv1278)-323

Opposition research also includes behavior and predictive profiling and it is highly dependent upon quality intelligence from a multiplicity of disparate database sources.

There is no email address within a private domain service (such as what Mrs. Clinton did here) or a public email domain service that cannot be penetrated using enough brute force intrusion or forensic tools. In the private sector, many tools exist that are legal and proper and often are capable of recovering seemingly deleted emails, but which are later found in the Deep Web, the Dark Web, the Peer-to-Peer and on private, but leaking domain servers of the recipients or re-senders.

Our view is that the private Clinton email domain server was, in all likelihood, breached long ago. The Chinese Intelligence Services, together with the Russian and Iranian cyber intelligence forces, co-equally or alone could re-assemble the server's email content and easily transection it to contributions, lobby funds, travel records and the like, for Pres. Clinton and former Secretary Clinton.

From an operational security perspective alone, what Mrs. Clinton and her advisers did by creating a private email domain server displayed a level of recklessness that is unsurpassed by any Cabinet official in the history of email communications.

Our opinion is that before anyone touched the suspect emails, the server had to have been imaged by a highly qualified lab that the Clinton law firm would have carefully selected.

We opine that a time line study analysis would most likely show that the Clinton claims that the server was deleted after a thorough analysis of it was done, is not plausible, and therefore, untruthful.

We opine that the entire email data mass from the Clinton private domain server does exist somewhere. Whether the content is in the hands of malevolent forces, such as certain foreign services, or whether they have benignly fallen into the Deep Web, the Dark Web, or Poor-to-Peer spheres remains to be seen.

We recommend: 1. That we search the open-source information sphere first, using the most advanced recovery tools in the marketplace, which our company does possess. Such a study can be done in less than 30 days. The cost would be approximately \$22,000 and would be a worldwide search. 2. Next, we would see whether the content of the server fell into or was the subject of an attempted hacking event. It would take considerable study to see what could be recovered. The study would take 30-45 days and cost about \$45,000. 3. We would check and see whether (a) the server was penetrated and recovered by specialized units within the Services and (b) the content of the server was transferred and (c) if any emails could be obtained. If even a single email were recovered and the providence of that email was a foreign service, it would prove catastrophic to the Clinton campaign and to the Foundation's work. This type of work requires travel and intermediary work. It would take 90-120 days, and cost somewhere between \$290,000 to \$350,000.

#### *Summary and Overview*

This is a proposal for providing multi-level forensic email study of certain accounts linked to the former Secretary of State, Hillary Clinton, as well as other members of the William, Hillary and Chelsea Clinton Foundation because of its known acceptance of foreign money from organizations, institutions, individuals and cut-outs of dubious distinction.

Preliminary research shows that millions of dollars were accepted by the Foundation at or around the time that the donors received a *quid pro quo* from United States Government generally or the U.S. State Department specifically.

Perhaps more egregious is how the donations were characterized or washed before they landed at the Foundation. Under normal circumstances, the re-classification and washing of funds in an effort to conceal the true owner is classic money laundering. This, combined with a number of other circumventions that the Clinton family is known to have engaged in during their 30 years in office, speaks volumes about the candidate's character and her willingness to live outside the boundaries of normal legalities.

### *Methodology and Process*

Because the Clinton Foundation as well as the Candidate have huge digital fingerprints, key to any opposition research is to overlay advanced analytics performed by high-quality intelligence analysts using integrated visual analytic products that highlight connections, links, associations and relationships onto the databases. In other words, to highlight that which is otherwise hidden in plain sight.

The issue is not whether data exists, but rather, sorting through the quantity of obtainable data and distilling from it the type of information that oppositional research analysts use.

While opposition research generally is defined as derogatory, negative, or adverse information -- it also includes behavior and predictive profiling. It is highly dependent upon quality intelligence from a multiplicity of disparate database sources.

### *Missing Email Recovery Project*

Vast media reports show that Hillary Clinton created a private domain server to host her personal email account, and that this account was also used for Official US Government business. It is the intent and spirit of the law that high level officials use only Government domains when conducting official business.

There are a number of compelling reasons that such figures should never use a private email domain, to include Gmail, Hot Mail, Yahoo, etc. None accord the user absolute protection against intrusion by foreign intelligence services. In the main, there is no email address within a private domain service (such as what Mrs. Clinton did here) or a public email domain service that cannot be penetrated using enough brute force intrusion or forensic tools. In the private sector, many tools exist that are legal and proper and often are capable of recovering seemingly deleted emails, but which are later found in the Deep Web, the Dark Web, the Peer-to-Peer and on private, but leaking domain servers of the recipients or re-senders.

In the public sector, foreign intelligence services have a vast array of tools at their disposal that can penetrate any private email account, and many that are even U.S. Government protected systems.

The Clinton Foundation did not consider the upkeep and maintenance of a private email domain service, to include the most advanced firewalls, malware, and resistant fortress sonic wall software that is available in the market place. Such upkeep must be done proactively and on a second-by-second basis, as new and even more aggressive viruses are created each and every second by malevolent forces around the world.

Our view is that the private Clinton email domain server was, in all likelihood breached long ago. One of the dangers of handing over the entire server to an independent forensic data scientist is that the residue of such a breach could be found and highlighted and in some cases, even traced back to the offender. Such a report over a breach of this type would be political suicide for the former Secretary of State, who held one of the most sensitive positions in the US Government.

Second, the Chinese Intelligence Services, together with the Russia and Iranian Cyber Intelligence Forces co-equally or alone could re-assemble the server's email content and easily transaction it to contributions, lobbying funds, travel records, and the like for President Clinton



and former Secretary Clinton. In short, they could do what the U.S. conservative media and its supporters are trying to do today. However, they would have two distinct advantages that nobody in the private media enjoy:

- a. They would have the emails, both the originals, headers, footers, attachments, and the communication vectors of the benefactors seeking patronage with the Clintons and the Foundation. All of this would be in original, pristine, and undelated condition for them to cross section against open source data.
- b. The Services would also have not only extremely experienced HUMINT analysts, but advanced analytical software that could transaction contribution of dollars against emails and their timing; as well as other disparate data to assemble a mosaic of political pay-to-play story. The Services could then seek to blackmail members of the Foundation, its staff, or even the Clinton's themselves. If they did not cooperate, the Services could selectively leak pieces of their analytic findings such as what was done on the Russian uranium story.

Thus, from an operational security perspective alone, what Mrs. Clinton and her advisors did by creating a private email domain server displayed a level of recklessness that is unsurpassed by any Cabinet official in the history of email communications.

#### *Deletion of Email Server Content – Implausibility*

One of the issues that has not been well-briefed in the media is the forensic methodology of email deletion and recovery, making the story behind what the Clinton Foundation and Mrs. Clinton specifically, a total fantasy.

First, when an email domain server has content that is going to be "parsed" for deletion of select data, such as personal emails versus government business email it must be done in a very precise and logical manner.

No expert would ever, under any circumstances whatsoever, work with the virgin or original source email server. Any reputable forensic expert would make an "image copy" of the domain server first, and moreover, do a sector-by-sector image copy (the most invidious and thorough method possible) and work from the image to do qualitative or quantitative deletion of the "unneeded emails". Nobody would ever risk the potential of the original content server being corrupted, accidentally deleted, or suffer some sort of catastrophic failure<sup>1</sup> because it would be devastating politically to try and "message" that kind of event.

Thus, our opinion is that Williams and Connolly would hire a reputable forensic shop which would advise that the domain server to be examined for specific content be imaged, and at least once.

Second, it is not plausible that a human decision-making process was used to manually review every single email, either on the server (or an image of the server) and cull out only those that were non-personal. It is implausible as to the amount of time such an endeavor would take, as well as the thoroughness of such a process. According to media reports, the suspect server had

<sup>1</sup> Not to reference history, but the modern day version of the Rose Mary Wood 18 minute tape gap that occurred upon the infamous Watergate Tapes episode, made more implausible by the forensically enhanced sound engineers who showed repeated re-deletes of the same tape sectors.

approximately 60,000 emails, of which approximately 32,000 were allegedly personal and were deleted.

It is not clear how this was done, according to these same media reports. Logically, there are only three ways:

- a. **Review, print and decide.** The first method is for a human analyst to sit and review each email manually on a computer that had been loaded with the .ost or .pst file that contained the email. For those that were "business", the analyst printed a copy in paper format and laid the email on the side. For those emails that had attachments, this too would be printed and attached to the printed email. However, one must consider the human and mechanical time elements to go through 60,000 emails in order to complete such a task, and do it using only one machine, one printer, and one analyst.<sup>2</sup>
- b. **Key Word Searching.** Here again, assuming that the legal team prohibited an image copy, the analyst would go through the .pst with inherently loaded key word searching software (and this assumes such software was *not* on the domain email server to accomplish such a task) and formulate the compliant search terms to distinguish what was or was not a US Government business email.

Some possible key words would be domain server extensions that would be commonly used by US Government personnel, such as .mil, .gov, .State, etc. However, even key word searching to try and cull out the potential government emails from the total data mass would not be a definitive solution. Moreover, to go through thousands of potential hits and cull out only those that would be relevant by a single analyst (Again, hypothetically, no image copy was done) would take an enormous amount of time.

- c. **Load COTS analytic or key word software.** No forensic analyst would risk loading any type of software onto the native machine or domain server in an effort to identify possible relevant emails.

Most likely, they would image the domain server, and then load the COTS software onto the machine and see whether it could be configured to work with the Clinton domain server. Domain servers and operating systems all have their own unique idiosyncrasies which must be accommodated when selecting a particular COTS software to do email recovery based on key words.

For example, the leading COTS email key word recovery software for Microsoft Outlook email was **XOBNE** (it was developed and engineered by the creators and original coders of MS-Outlook and later sold to Yahoo) but trying to load this product or its Yahoo successor equivalent onto certain domain servers can cause not only a crash, but destruction of files. The reason is that all email key word search tool products require "indexing" of the entire mass to be successful.<sup>3</sup>

<sup>2</sup> As stated, this hypothetical scenario assumes that the original was not imaged, and therefore only one person could work on the file at a time.

<sup>3</sup> "Indexing" by its very nature means to pulverize the .pst, .ost or equivalent file on the domain server, and then to parse it in such a way so that the searcher can type into the program a key word, date, time, reference, station, or Boolean logic scripted term and bring back a result which would contain the framed "phrase". "Indexing" is inherently a very complex data process that can damage a file if done by a program that does not accommodate different operating systems.

Whether Google Desk Top or other popular COTS programs, the data mass involved must be completely indexed, front-to-back. Depending on the type of operating system within the Clinton domain server, and moreover, the kinds of emails and attachments from around the world that she was sending and receiving, defines how well the indexing will work, and moreover, whether it will damage or destroy the native, original file.

For all of these and other technical and esoteric reasons, logic and normal forensic methodology demands that before anyone touched the suspect emails, the server had to have been imaged and done by a highly qualified lab that the Clinton law firm (David Kendall, Esq., and Williams and Connolly) would have carefully selected.

Assuming our hypothetical -- that at least one image was done -- next would be the process used to select, segregate, and decide what to do with each of over 60,000 emails over a compressed period of time.

One of the issues that the media has overlooked is the forensic process for "decisioning" emails for segregation and the amount of time it would take to cull out of a data mass select emails of relevance within 60,000 emails.

For these reasons, the customer here needs to create a plausibility time line to show the Clinton claims unfeasible. To create such a time line, certain assumptions need to be evaluated or at a minimum, made. For example:

1. When was the domain server created?
2. What was the last date in which it was used?
3. When was it shut down and no longer capable of sending or receiving traffic?
4. When was the domain server deemed a "problem" that legal counsel had to consider?
5. When could the domain server been removed from the Clinton residence or wherever it was being hosted and then moved to either Williams and Connolly offices in Washington, or to the lab that they elected?
6. When did the first emails that were considered US Government trickle over to the State Department or some other agency to be considered for release?

The point here is that to process, decision, and output 60,000 emails, we speculate that it could not have been done in a matter of weeks or even months. To prove our assumption, one need only do a time study analysis (TSA) upon those emails that were produced (those that the customer currently does possess or have access to) and conduct an alpha-omega study of how long such emails as contained in a like domain server would take to identify, isolate, read, analyze, decision, print, and stack -- and do all of this on a single non-imaged hard drive that purports to be the original content server; and be done by a single human analyst.

At the end of the day, we opine that such a time line study analysis would most likely show that the Clinton claims that the server was deleted after a thorough analysis of it was done is not plausible and therefore, untruthful.

#### *Recovery of Emails Deleted From Third Party Sources*

We opine that the entire email data mass from the Clinton private domain server does exist somewhere. Whether the content is in the hands of malevolent forces, such as certain foreign services, or whether they have benignly fallen into the Deep Web, Dark Web, or Peer-to-Peer spheres remains to be seen.

*Multi-Phase Email Recovery Approach*

1. We recommend that the customer start with a search of the open source sphere first, using the most advanced recovery tools in the marketplace, which our company does possess and can do. The critical search term is the email server MX codes, the headers or footers of the email server, or at a minimum, the domain server name which is fairly unique.

Such a study could be done in less than 30 days, the cost would be approximately \$22,000 and would be a worldwide search. For this small amount, if we are lucky and the tools used are able to troll the open source sphere well, we could actually bring back the content of sent or received emails.

2. Next, it is possible that through intermediary sources and methods we could try and see whether the content of the server fell into or was the subject of an attempted hacking event. To do this, we would need to do a careful study of the domain server residue that can be recovered via open source sources as the forensic structure of the domain server as it last existed, would still be in the Internet sphere, but would take considerable study to see what could be recovered. The study would take 30 to 45 days and cost about \$45,000.00.
3. Finally, we could check with our own HUMINT sources that have access through liaison work with various foreign services and see whether (a) the server was penetrated and recovered by specialized units within the Services (b) the content of the server was transferred and (c) if any emails could be obtained. Even if a single email was recovered and the providence of that email was a foreign service, it would prove catastrophic to the Clinton campaign and moreover, to the Foundation's work. However, to do this type of work, much travel and intermediary work is needed. It would take about 90 to 120 days, cost somewhere between \$290,000 to \$350,000.

***Clinton Foundation Proposal  
Introduction and Overview***

The Clinton Foundation, the organization that the client seeks to obtain specific information upon, would involve significant research using both public, private, proprietary and restricted access database systems that we are licensed to subscribe to. At present, many media experts are trolling sources and working this landscape furiously. What is missing is the key determinator and that is the email contents and the date of each. These, transected against the Clinton Foundation contributors defines whether this was a pay-to-play organization.

There is historical precedence in Presidential campaigns using nefarious devices and vehicles to accord benefactors' opportunity to "pay and play". Indeed, Hilary Clinton herself was intimately involved in this.

Some initial tests of the data sources that we need to access revealed that it is complex searching, requiring professionals who have substantial experience in different kinds of sophisticated search methodology, not normally done by generalists.

***Task 1 – Foundation Project***

1. Conduct a full financial on the Foundation that would include accessing all banking accounts, assets, credit, financial holdings and investments (domestic & overseas) of the Subject. Determine funds deposited and identify names of foreign and domestic donors from 2009 to the present.

***Task 2 – Foundation Project***

1. Determine whether subject may have any hidden interests in the companies or persons directly or through proxies or through other arms distance donors.
2. Identify Subject's "Top 10 Donors" list and obtain searchable terms, (known as "the entity" or "entities") to include names of people associated with cited companies; or names of companies associated with cited names, and then run those names, addresses, and other identifiers against both State and Federal Campaign records, as well as published and non-published Political Action Committee
3. Identify the names of contributors, their addresses, and telephone numbers and compare against a database of successful contracts and attempted bids filed in the State Department between 2009-2013.
4. Determine any personal dealings (quid pro quo) between the subject and the top donors between 2009-2013.
5. International or other unusual financial activities including political donations. Confirm that the subject has previously disclosed all international financial transactions or donations that might be construed as international in sourcing. If international transactions exist, we will identify them and recommend potential secondary courses of action including, but limited to, identification of the sources.

### Costs

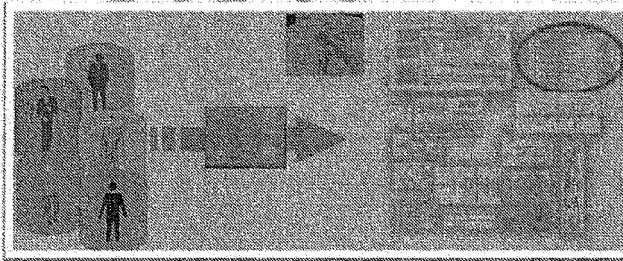
The searches for the Foundation study are costly owing to the fact that the funds of interest came from outside of the United States, and therefore international resources must be used to gain access to the needed accounts that were used to send funds. The initial feasibility study to see what the weight and amount of data that exists is \$24,900. The probably cost to do a full search, assuming that we can document the claims made by the current sources probably will range somewhere between \$230,000 and \$300,000.

### Personal Background Searches — How Data Is Catalogued and Accessed

The customer may also be interested in doing our GlobalScan searches, which are the deepest, and most in-depth scans that are available in the commercial database world today. Reports can range from 800 to 4000 pages long, when including exhibits. Our GlobalScans can be done on any person in the world, and costs depend on the name, address, age and other identifiers for the person. To date, our firm has processed over 20,000 GlobalScans since our inception in 1978. After 1996, the GlobalScan always included digital media data, usually from the original source so that they could be used in a legal proceeding.

In real terms, every person today has a data fingerprint, much like their own fingerprint. As they operate in the e-commerce world, the "Data DNA" of their digital fingerprint leaves an indelible mark that is rarely able to be deleted. Spending patterns, financial transactions, telephone call pattern analysis, credit card transactions, travel habits, subscriptions to magazines and online computer behavior cannot be altered. While people often try to conceal or obfuscate their tracks, computer forensics can be employed to detect their connection.

Humans today translate into digital images, both structured and unstructured. Whether data, pictures, sounds, cyber visits — all of it compose a person's data DNA that is unique to that person. It looks something like the illustration below:



Advanced analytics are used to do data extraction, recognizing that:

◆ 80% of the world's digital content is *unstructured or semi-structured*, to include:

- Newspapers data sources
- Financial statements contained deep within web sites

- o Government reports that are both open and closed
- o Press releases on the surface Web
- o Websites, both open and closed
- o Emails that are dumped into the public domain

◆ Semantic extraction is typically used to

- o Discover entities and identify their structural ownership and links
- o Discover relationships between entities
- o Discover events
- o Taxonomy generation
- o Categorize documents

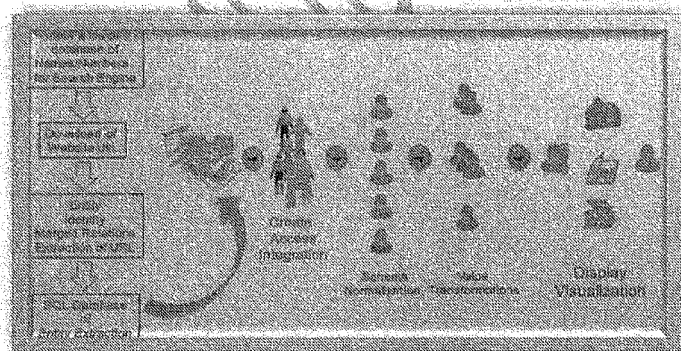
◆ A high-performance data-extraction system that consists of

- o A design-time *compiler*
- o A run-time *engine*
- o A powerful *Integrated Development Environment (IDE)*
- o Several utility programs

◆ Semantic extraction is typically used to

- o Discover entities
- o Discover relationships between entities
- o Discover events
- o Categorize documents

Technically, entity extraction operates somewhat in this manner:



As stated at the outset, this investigation should be a phased inquiry, starting with the Global Scan® first, and once the results are obtained, we can probe the leads deeper and trace back related information, if any, to the original source.

ICI specializes in complex investigations that involve databases and electronic sources. It is our experience that the only effective way to conduct such a study is to conduct a Global Scan® on each person or company under investigation.

We assume permissible purpose exists for conducting all appropriate database searches. This matter is confidential and privileged and done pursuant to the privileged communications doctrine and the attorney work-product doctrine. Typically, Investigative Consultants is engaged through a client's law firm.

For further information regarding compliance with our Terms of Engagement, please see our web site at <http://www.icifishore.com><sup>4</sup>

Normally, all searches start with a basic scan of our systems, which we define as a *Global Scan®*. This search permits us to cite the costs for obtaining all other information within each "information corridor" that may be identified during the initial scan.

It also enables the ultimate client to maintain control of the scope, direction, and cost of a more extensive investigation. Each proposed search item is listed at the end of initial report.

For example, a Global Scan® will cite the name and address of a bank; an account number, the signatures on the account, and when it was opened, but will not provide information regarding balances or activity. However, the Global Scan® will cite the exact cost for obtaining that next level of information.

Normally, GlobalScan® always includes the following categories of data:

1. Banking, financial and credit relationships, including addresses and names of institutions.
2. Real estate holdings, real estate trusts, and real property conveyances.
3. Corporate affiliations, executive associations, and self-confessed employment.
4. Credit reports and personal financial scans.
5. Litigation, including criminal arrests in their areas of residence.
6. Newspaper, magazine, trade journal, and wire service reports.

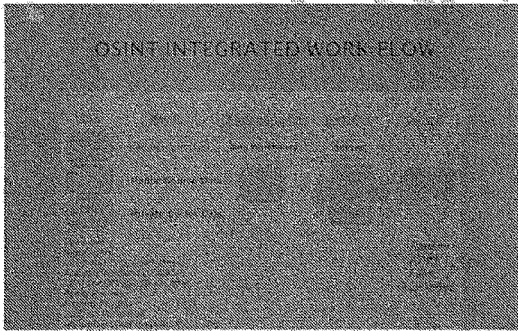
<sup>4</sup> Please note that some searches require a permissible purpose as defined under the Federal Fair Credit Reporting Act, Title 15, USC 1681, et. seq., as well as other local, state, federal and international laws. You are required to certify to ICI that any search is in compliance with both FCRA, as well as the 1999 Graham-Leach Bank Privacy Act. By placing any order with ICI, the client represents that the client has fully complied with all local, state, federal and international laws and assumes all responsibility. ICI assumes no responsibility for determining whether the client is in compliance with these laws.

We are not a Consumer Credit Reporting Agency and all of our reports are done as an agent to counsel under the Attorney Work Product Doctrine. For further information, please see our Terms and Conditions, found at <http://www.icifishore.com/terms.html>, which are incorporated into this proposal by reference.



7. Known associates, family members and close personal friends who may be used to transfer or convey assets.
8. Vehicles, boats, mechanized equipment, and recreational devices traced to merchant's name, address or SSN.
9. UCC filings recorded in the name of the merchant, based upon a scan of the person's name, SSN, or past addresses, a triple secured search. Included is both debtor and secured party searches.
10. Identification of trade creditors, credit card companies, utility companies, banks, or other entities that the target would be paying with some type of instrument. These searches do not include identification of the bank that a check is drawn upon, or the account number, just the bill that is being paid.
11. Identification of telephone numbers, cellular numbers, and mobile telephone numbers; together with long distance carriers. This search does not include a detail of the numbers dialed, or the subscribers to the numbers dialed, which can only be obtained at the next level of searching.
12. All past addresses, historic use of addresses, names of relatives, names of persons traced to addresses used by the merchant, names of relatives and the statistical identifiers of those that reside in the same household as the merchant.

In actuality, the data flow appears something like that which is depicted below:



Global Scan® is conducted on a flat fee basis only, and is marketed that way because clients seek to have a guaranteed fee structure cited in advance. Moreover, before any Global Scan® can be prepared, ICI requires that all cited fees and expense surcharges be paid in advance.

ICI does not bill by the hour for its services nor use "general price lists". Rather, it uses the "bundled billing" approach. In short, the fee is guaranteed and includes all research time, computer data downloads, analysis, report preparation and delivery. We may consult with counsel by telephone or email following transmission of our report, should there be a need to

clarify a few points in our report. This approach guarantees the client all available information for a pre-cited charge without regard to the amount of information obtained.

#### *Specialized In-Depth Searches*

ICI also can conduct deeper probes, depending on the requirements of counsel, the permissible purpose to obtain the information, etc. In addition to the above mentioned eight categories of data, ICI can, under certain circumstances provide a more in-depth report and other kinds of advanced searching. The cost for each depends on the nature of the request. Some of the in-depth scans include:

1. Social Security Numbers and DOB Search;
2. Social Security Trace for all addresses, verify date of issuance, state of issuance and whether used regarding banking, financial or credit transaction;
3. Date of Birth Records;
4. Death Records;
5. Change Of Name Records;
6. Marriage and divorce Records;
7. Criminal Records State or federal sealed or unsealed felony or misdemeanor;
8. Warrants of Arrest;
9. Order of Protection, domestic violence offender scans;
10. Probation Records, special offender searches, including sex offender registries, or habitual offender status;
11. Property Tax Records;
12. Utility Bill Records;
13. Current Address;
14. Drivers License Information;
15. Car Insurance Records;
16. U.S. Postal Service Forwarding Address Records;
17. True owner of U.S. Postal Service PO BOX Records;
18. Magazines or Newsletters that you are the owner of. (Postal Records);
19. Bulk Mail Permit records (US Postal Service);
20. Magazines that someone may subscribe to;
21. Books that are obtained from a library;
22. Junk Mail/Catalogs register;
23. Credit Card Records;
24. Credit Records;
25. Banking, financial and credit relationships that include name and address of bank;
26. MVR Reports;

27. TAG & VIN Traces;
28. License Plates (Name and address can be found by doing a license plate search);
29. Full Driving Records, including searches of National Major Offender Database;
30. Military Records Search, including discharge status, branch job and rating, dates of Enlistment, Reasons for Discharge;
31. List of Hospital admissions and possible diagnosis codes;
32. Telephone Number Historical Index ;
33. Cell Phone Traces;
34. Unlisted Phone Numbers Decodes;
35. Illegal Alien Database Scan;
36. Government Job Registration Scan;
37. Worker's Compensation Settlement or Claim Scan;
38. Automobile and Personal Injury Insurance Fraud Database;
39. Real Estate, Co-Op and Full Title Search scan for 50 years;
40. Leads for identifying hidden or secreted assets that are in the form of: bills, bonds, stocks, "offshore" bank accounts, or funds in tax haven countries;
41. College Records Search, verification of college attendance, degrees conferred and special awards;
42. Terrorist or Cult Member Dossiers;
43. Professional Certification by various professional trade associations;
44. Business Conduct Searches through databases such as Better Business Bureau;
45. Federal Bankruptcy Database Scan, including whether cited in an adversarial proceeding, or as a claimant in any bankruptcy action by others;
46. Catalogs, Mailing Lists, and Department Store searches;
47. Employment Searches for a period of 20 years, including job titles and descriptions, addresses, and possible level of compensation;
48. All Professional Licenses Scan;
49. Business licenses, motor vehicle licenses, pilot licenses;
50. Evictions and Tenant/Landlord Database Scan;
51. Voter Registration Database and scan of historic voting records;
52. Email tracing service and complete Web Site Domain.

### Worldwide Deep Web Intelligence Scan

By way of background, the "Deep Web" — a vast reservoir of Internet content that is 500 times larger than known "surface" World Wide Web material. What makes the discovery of the Deep Web so significant is the quality of content found within it. Deep Web searches are intended for cases where historic data (more than four years) needs to be obtained and which otherwise tends to "fall off" current-day data tables.

Searching on the Internet today can be compared to dragging a net across the surface of the ocean. While much can be gathered from the top, there is a wealth of information that lies deeper, and therefore is missed by the average person.

There are hundreds of billions of highly valuable documents hidden in searchable databases that cannot be retrieved by conventional search engines. The reason is simple: basic search methodology and technology has not evolved significantly since the inception of the Internet.

Traditional search engines create their card catalogs by spidering or crawling "surface" Web pages. To be identified, a page must be static and linked to subsequent other pages. Utilized in this manner, standard search engines cannot "see" or retrieve content in the Deep Web and the crawlers used by them cannot probe beneath the surface. The result is that enormous amounts of data remains untapped and effectively "hidden" to the crawler, while in reality, the material is in plain sight.

The discovery of the Deep Web is the result of groundbreaking search technology developed by the Intelligence Community. Private companies have only recently developed search technology capable of identifying, retrieving, qualifying, classifying and organizing "deep" and "surface" content from the World Wide Web.

The Deep Web is qualitatively different from the surface Web. Deep Web sources store their content in searchable databases that only produce results dynamically in response to a direct request. But a direct query is a "one at a time" laborious way to search.

Our search system automates the process of making dozens of direct queries simultaneously using multiple thread technology. It allows searchers to dive deep and explore hidden data simultaneously from multiple sources using directed queries.

Businesses, researchers and consumers now have access to the most valuable and hard-to-find information on the Web and can retrieve it with pinpoint accuracy. If the most coveted commodity of the Information Age is indeed information, then the value of Deep Web content is immeasurable.

When conducting Deep Web intelligence studies on companies or individuals, we access a much different class of documents. Included in the search results are not only the standard information retrieved by conventional search engines but many other possible leads. Some of the highlights of the Deep Web search include:

1. Public information on the Deep Web that is 400 to 550 times larger than the commonly defined World Wide Web;
2. 7,500 terabytes of information, compared to 19 terabytes of information in the surface Web;
3. 550 billion individual documents compared to the 1 billion of the surface Web;
4. Information from an additional 100,000 Deep Web sites;
5. 60 of the largest Deep Web sites collectively contain about 750 terabytes of information -- sufficient by themselves to exceed the size of the surface Web by 40 times;

6. On average, Deep Web sites receive about 50% greater monthly traffic than surface sites and are more highly linked to than surface sites; however, the typical (median) Deep Web site is not well known to the Internet search public;
7. The Deep Web is the largest growing category of new information on the Internet;
8. Deep Web sites tend to be narrower with deeper content than conventional surface sites;
9. Total quality content of the deep Web is at least 1,000 to 2,000 times greater than that of the surface Web;
10. Deep Web content is highly relevant to every information need, market and domain. More than half of the deep Web content resides in topic specific databases;
11. A full 95% of the deep Web is publicly accessible information — not subject to fees or subscriptions.

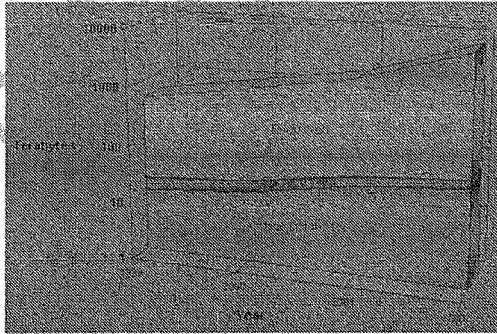
To put these numbers in perspective, we estimate that some of the largest search engines, such as Northern Light, individually index only 16% of the surface Web. Since they are missing the Deep Web, Internet searchers are therefore searching only 0.03% — or one in 3,000 — of the content available to them today.

Clearly, simultaneous searching of multiple surface and Deep Web sources is necessary when comprehensive information retrieval is needed.

We have automated the identification of Deep Web sites and the retrieval process for simultaneous searches. We have also developed a direct-access query engine translatable to about 20,000 sites, already collected; eventually growing to 100,000 sites.

Our experience has shown that when the hit scores fall below 65%, they are not deemed reliable and the hits tend to be unrelated to the target of the inquiry.

Graphically, size comparison of the Deep Web compared to the "surface web" looks something like this:

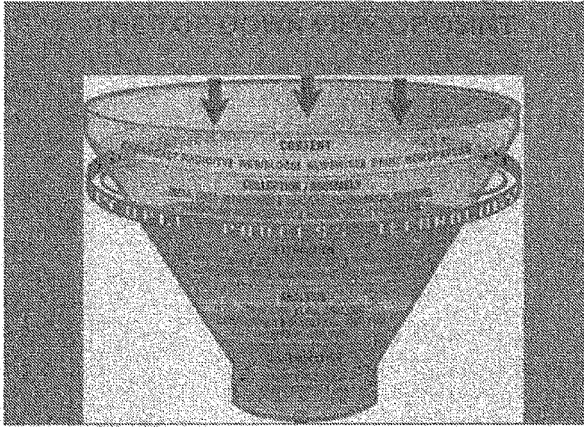


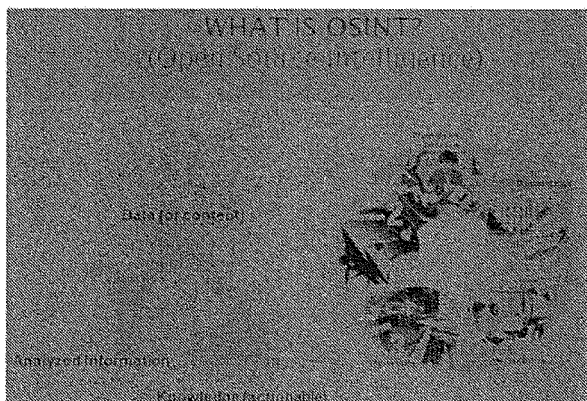
*Dark Space Searching*

During the past several years, the Department of Defense, led by the Defense Advanced Research Projects Agency (DARPA) has been steadily working on a project called the NOISE database, known as Name Only Index Searching and Exception. The acronym NOISE came from the negative consequence of conventional searching of the Open Source, Web-enabled applications such as:

[www.altavista.com](http://www.altavista.com)  
[www.northernlight.com](http://www.northernlight.com)  
[www.lycos.com](http://www.lycos.com)  
[www.opendirectory.com](http://www.opendirectory.com)  
[www.vindexbackmachine.org](http://www.vindexbackmachine.org)  
[www.google.com](http://www.google.com)  
[www.cnn.com](http://www.cnn.com)  
[www.msn.com](http://www.msn.com)

Visually, the process of gathering information on a person or entity looks something like the figure below:





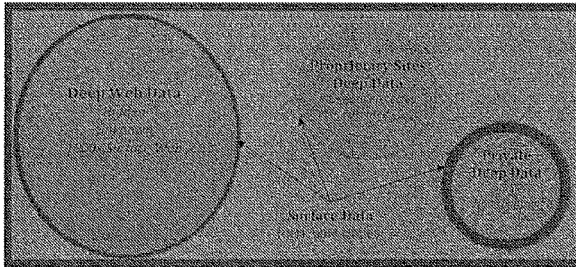
Traditionally, these are "Name Only" or "Business Name only" or "Telephone Number Only" searches that return massive, unrefined results. When the search criteria is common, the return results is often "NOISE" and burdens the analyst with a vast amount of irrelevant information.

In the commercial or legal markets space, the same is true, but the pressure is even greater to obtain results quickly, efficiently, and within a reasonable budget.

The commercial version of the NOISE application is particularly useful in Hedge Fund Defense Litigation and has been used by ICL on numerous occasions to "walk back" information claimed to be gleaned from "insiders", when in reality, it was fished out of the Deep Web and effectively converted for use by Hedge Fund analysts.

For that reason, we suggest that NOISE application and the IdentiCheck® data searches be considered here because of the relatively common names of Advantage and the key individuals.

It is the union of the NOISE application and the restricted access data within IdentiCheck® that is only available with a permissible purpose that allows for a highly relevant, targeted search approach. It looks something like this:



In the DoD contracting space, DARPA was tasked with the order to find a means to take granular data about a person (All known names, dates of birth, ages, past addresses, phone numbers, faxes, email addresses, web site addresses, businesses, names of relatives, etc.) or the so called digital fingerprint of a person, and inject that intelligence into the web-enabled application for a more definitive results.

For common names, the leads are culled down from perhaps 12,000 to 120. Moreover, the data is highly accurate and is considered rifle-shot searching.

The second compelling reason this new form of search technology was developed is that the Internet and the Deep Web is much larger and faster than any database source on the planet today. The "Deep Web" sometimes known as the Internet Dark Space or the Deep Web Intelligence Center, is a vast reservoir of content that is 1,000 times larger than the known "surface" World Wide Web. What makes the discovery of the Deep Web so significant is the quality of content found within.

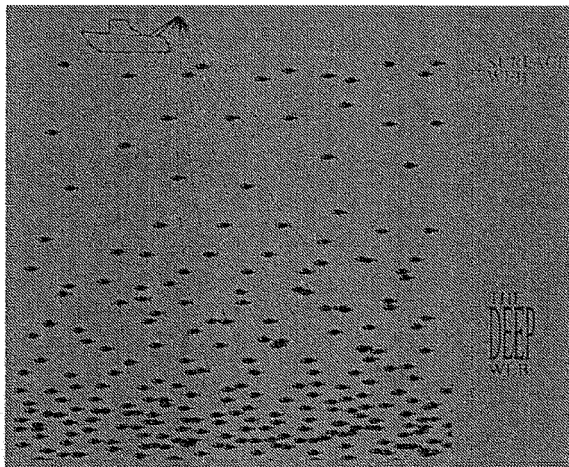
**In a very real way, the Dark Space of the Internet is much like the outer space: its depth and size is not measurable, indefinable, and endless.**

The old way of searching looks something like this:



However, the new way, including use of NOISE and ICI IdentiChek data that can be granularized, looks something like this:





This new capability allows searchers to dive deep and explore hidden data from multiple sources simultaneously using directed queries.

When you combine the tools of being able to "Deep Dive" into the Internet, with the ability to access restricted and protected personal data that is mostly available only to law firms or those with a permissible purpose (Name, DOB, Past Addresses, etc.), one can significantly expand not only the searchable data mass, but do so with highly accurate results.

Businesses, researchers and consumers now have access to the most valuable and hard-to-find information on the Web and can retrieve it with pinpoint accuracy. Searching on the Internet today can be compared to dragging a net across the surface of the ocean.

However, there is a wealth of information that is deep, and therefore missed, hence, the Deep Web. The reason is simple: basic search methodology and technology have not evolved significantly since the inception of the Internet. Traditional search engines create their card catalogs by spidering or crawling "surface" Web pages.

To be discovered, the page must be static and linked to other pages. Traditional search engines cannot "see" or retrieve content in the Deep Web. Because traditional search engine crawlers cannot probe beneath the surface, the Deep Web or Dark Space of the Internet has heretofore been hidden in plain sight.

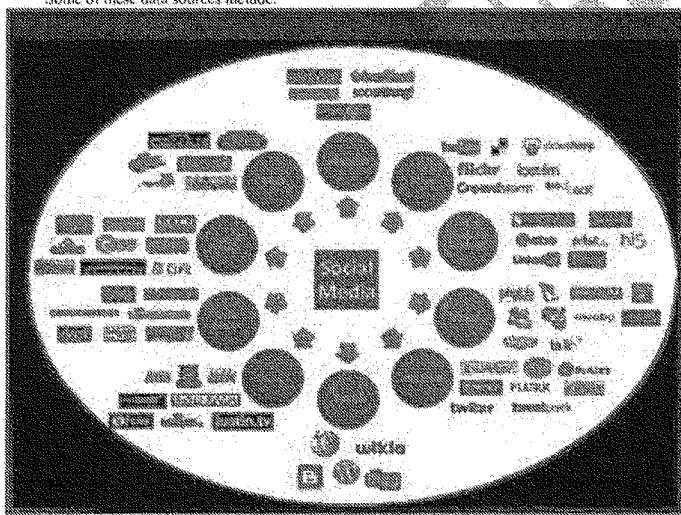
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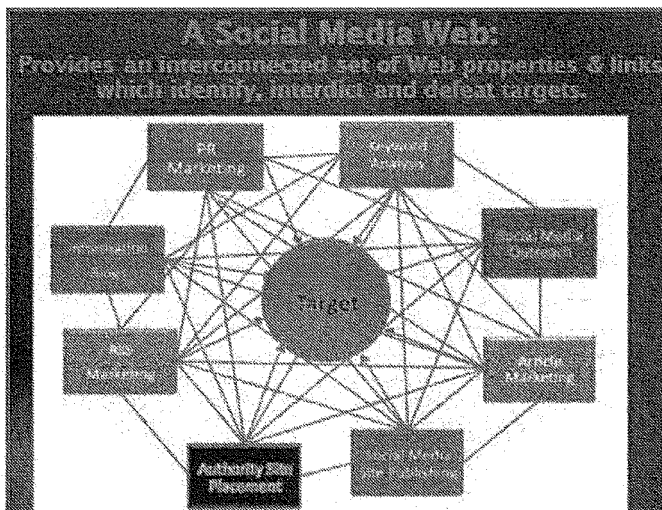
NOISE automates the process of making dozens of direct queries simultaneously using multiple thread technology, and takes private, non-public financial information and pulverizes it for inclusion into the search query. If the most coveted commodity of the Information Age is indeed intelligence, then the value of Deep Web content is immeasurable.

Today, more and more people are “self-confessing” their habits and haunts; their biases and prejudices and their flavors and peccadilloes. It is most predominantly done on such Social Media web sites as Facebook, MyLife, LinkedIn, and hundreds of other public and private chat portals. All of these locations are trawled, but the key is the search instrument or vehicle used and the advanced analyses applies.

ICI specializes in the developing of these wide and deep data mining nets and tools, where it is launched upon an endlessly sized ocean of data.

Some of these data sources include:





#### *History of ICI's Products and Services*

Investigative Consultants, Inc. (ICI), an Illinois "C" corporation, based in Washington DC, was founded by Donald M. Berlin on December 12, 1978. ICI started its operations as a general investigations firm for attorneys specializing in complex federal litigation and commercial transactions.

Investigative Consultants, Inc. specializes in providing computerized on-line database investigations and intelligence analysis through a worldwide network of computerized on databases that it is licensed to access. Each database has millions of files, and ICI subscribes to over 9,000 database services worldwide. Most of these databases are used to obtain in-depth background information on people, organizations, institutions, and corporations for attorneys and multinational corporations. ICI currently offers its services only to licensed attorneys, law firms, or attorneys that work for multi-national corporations.

Special emphasis is placed on:

- International corporate due-diligence investigations.
- Complex litigation management and strategy services, using databases to conduct difficult investigations quickly and efficiently.
- Venture capital and banking due-diligence investigation on individuals in 122 countries.

- Tracing of assets, banking, financial and credit investigations because of defaults and other losses.
- Estate preservation searches done by trustees to protect erosion of principal by unknown persons.
- High-level pre-employment background searches on executives.

ICI is capable of conducting these and others kinds of inquiries and presenting a highly proprietary report format because of its unique methods and sources.

ICI uses experts in litigation management and administration with 25 years' experience in intelligence gathering, data interpretations, and criminal investigations; professionals in psychology and management-sciences who have testified throughout the country as expert witnesses in complex federal and state litigation; and outside contractors and staff members who have over 25 years of U.S. Foreign Service experience, specializing in overseas investigations and risk-analysis.

These specialists, combined with other experts who focus on the more technical assignments, enable ICI to evaluate large volumes of raw data for well-defined purposes. Thus, for example, it is possible to examine more than 50 categories of background information on prospective jurors, witnesses or experts, and alert counsel to character or personality traits indicated by these factors. Such an evaluation can help in developing trial tactics and in understanding the psychological receptivity of individual jurors to the case presented.

ICI brings together the combined and integrated senior staffs of two complementary organizations involved in data collection, research, and intelligence analysis. Both organizations have vast experience in litigation management, intelligence services and investigative research on a worldwide basis.

It may be necessary to conduct ground investigation in the US or some foreign country. Once the initial searches are done and ICI's intelligence analysis have reviewed them for additional leads, sources can be used to do follow-up investigation. However, ground investigation is not part of a standard proposal process.

ICI's network affiliates are former career Foreign Service officials in the United States and abroad that have worked in the field of counterintelligence, money laundering detection, and international finance.

As an outside purveyor of investigative services, ICI removes the client from direct involvement with sensitive inquiries. That is one reason ICI's client list includes many of America's largest and most prestigious law firms which have their own in-house electronic database capability. Among the advantages it offers, ICI:

- Constructs customized searches depending on the investigative objectives of counsel and the type of information that is needed.
- Conducts all inquiries, electronic and otherwise, on its own authority. The law firm client, and its ultimate client, is not identified with the investigation.
- Keeps abreast of new database sources used in all legal specialties. Furthermore, it constantly uses these sources and knows their capabilities from experience.

- Expands to meet unusually complex or particularly urgent assignments, thus eliminating the need for the law firm client to strain its own staff resources.
- Combines electronic searches with necessary on-site investigations, when necessary. Performs at substantially lower overall cost for large investigations than does the law firm's in-house electronic library.

From 1989 to the present, ICI has researched, developed, and perfected several highly proprietary products and processes that are unique to the computerized on-line database industry. It has used these tools, combined with human assets, to provide corporations and law firms some of the finest intelligence products available in the private sector.

CONFIDENTIAL

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From: [REDACTED]  
Sent: Tue 8/04/2015 11:17 AM (GMT-04:00)  
To: Steve Bannon  
Cc: [REDACTED]  
Bcc: [REDACTED]  
Subject: [No Subject]

b6  
b7c

Corey just confirmed green light on Trump :-)))

[REDACTED]

US Cell: [REDACTED]  
UK Cell: [REDACTED]  
[REDACTED]

CA Cambridge Analytica  
The News Corp. Building, Suite 2703,  
1211 Avenue of the Americas,  
New York, NY 10036  
Phone: +1 (646) 892-9591  
[www.cambridgeanalytica.org](http://www.cambridgeanalytica.org)

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SB\_00018418  
FBI(19cv1278)-348

14

From: Steve Bannon [redacted] on behalf of Steve Bannon  
 Sent: Sunday, June 12, 2016 02:01 PM  
 To: [redacted]  
 Cc: [redacted]  
 Subject: Re: Defeat Crooked Hillary [redacted]

b6  
b7C

Love it

On Jun 12, 2016, at 2:00 PM, [redacted] wrote:

b6  
b7A  
b7B per DOJ/OIP  
b7C

Hi Steve,

When you are in the UK in the next fortnight, I think that we should meet with [redacted]  
 [redacted]  
 [redacted] and I think that his input could be very  
 valuable for the Super PAC.

If you agree, we will try and connect with him.  
 (please remind me when you will be in London)

[redacted]

[redacted]

b6  
b7C

[redacted]

US Cell [redacted]  
 UK Cell [redacted]

[redacted]

CA Cambridge Analytica  
 The News Corp. Building, Suite 2703  
 1211 Avenue of the Americas  
 New York, NY 10036  
 Phone: +1 (646) 892-9591

1 Wales Alley, Old Town  
 Alexandria, VA 22314  
 Phone: +1 (703) 997-1812

55 New Oxford Street  
 London, WC1A 1BS  
 Phone: +44 (0)20 3828 7529

<http://cambridgeanalytica.org>

From: [REDACTED]  
 Sent: Sun 8/12/2016 2:00 PM (GMT-04:00)  
 To: Steve Bannon  
 Cc: [REDACTED]  
 Bcc: [REDACTED]  
 Subject: Defeat Crooked Hillary / Assange

b6  
 b7C

Hi Steve,

When you are in the UK in the next fortnight, I think that we should meet with [REDACTED]

[REDACTED] and I think that his input could be very valuable for the Super PAC.

b6  
 b7A  
 b7B per DOJ/OIP  
 b7C

If you agree, we will try and connect with him.  
 (please remind me when you will be in London)

[REDACTED]

[REDACTED]

b6  
 b7C

[REDACTED]

US Cell [REDACTED]  
 UK Cell [REDACTED]

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<http://cambridgeanalytica.org>

FBI(19cv1278)-350



(15)

From: [REDACTED]  
To: Steve Bannon [REDACTED]  
[REDACTED]  
Cc: [REDACTED]  
Bcc: [REDACTED]  
Subject: Data Guy in Trump Tower  
Date: Thu Jan 07 2016 21:15:04 EST  
Attachments:

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED] has been there six weeks. Does voter lists and call centers.

Sent from my BlackBerry 10 smartphone.

(20)

From: Steve Bannon [REDACTED]  
To: [REDACTED]  
Cc:  
Bcc:  
Subject:  
Date: Fri Aug 26 2016 13:18:53 EDT  
Attachments:

---

b6  
b7A  
b7B per DOJ/OIP  
b7C

Can u talk.

Have some ideas

---

FBI(19cv1278)-357

21

From: Ted Malloch [redacted]  
 To: [redacted]  
 Cc: [redacted]  
 Bcc: [redacted]  
 Subject: The Debate  
 Date: Tue Aug 30 2016 16:02:37 EDT  
 Attachments:

b6  
 b7A  
 b7B per DOJ/OIP  
 b7C

Steve,

As you well know from all my op-eds (some of which ran in Breitbart) and strategy places, I have been labouring non stop for the Trump campaign — even though I am all the way over here in Oxford. Please let me know if you need anything else or if I can be of further service.

I am back in the US speaking in Boston, Maryland, and LA in mid-October. to conservative and business audiences and will keep plugging.

b6  
 b7A  
 b7B per DOJ/OIP  
 b7C

I have been in constant touch with the campaign [redacted]

I have a clever idea for you and Donald for the first debate I wanted to pass along. I know you are in the preparation stage and hopefully will let him be himself, authentic and not overly scripted. Leave that to his inept opponent.

Here is the idea:

In his opening remarks Scene One, in other words—hand Hillary a Writ of Indictment. Have it typed out and actually hand it physically to her.

What is INDICTMENT?

A written accusation of one or more persons of a crime or misdemeanour, presented to, and preferred upon oath or affirmation, by a grand jury legally convoked. Say this and then add, this Indictment is on behalf of all the American people since our Justice Department will not indict you due to crony politics. I present it to you formally here tonight, and serve you on behalf of ALL the American people for you undeniable crimes against America, destruction of evidence in the form of emails, and theft of funds to your own personal benefit and enrichment.

It would steal the show!!! And be the headline we want.

Ted Roosevelt Malloch

FBI(19cv1278)-358

From: [REDACTED]

To:

Cc:

Bcc:

Subject: [REDACTED] in Vegas

Date: Wed Oct 19 2016 13:30:33 EDT

Attachments:

b6  
b7c

Steve, I am told [REDACTED] is in Vegas and willing to play any role in debate activities that is helpful. Any interest in utilizing him? Our friend in FL is working hard on this. Best [REDACTED]

Sent from my iPhone

(27)

From: Steve Bannon [redacted]  
To: [redacted]  
Cc:  
Bcc:  
Subject:  
Date: Sat Oct 22 2016 07:02:02 EDT  
Attachments:

b6  
b7A  
b7B per DOJ/OIP  
b7C

[redacted] can u arrange for [redacted] to meet with [redacted] soonest in NYC

He is here today and back mid week

(29)

To: [REDACTED]  
 From: [REDACTED]  
 Sent: 2016-09-21T07:51:30-05:00  
 Importance: Normal  
 Subject: Fwd: Wikileaks  
 Received: 2016-09-21T07:51:32-05:00

b6  
 b7c

Sent from my iPhone

Begin forwarded message:

From: Donald Trump Jr. [REDACTED]  
 Date: September 21, 2016 at 2:09:34 AM EDT  
 To: [REDACTED] Steve  
 [REDACTED] Bannon [REDACTED] Jared Kushner  
 [REDACTED]  
 Subject: Wikileaks

b6  
 b7c

Guys I got a weird Twitter DM from wikileaks. See below. I tried the password and it works and the about section they reference contains the next pic in terms of who is behind it. Not sure if this is anything but it seems like it's really wikileaks asking me as I follow them and it is a DM. Do you know the people mentioned and what the conspiracy they are looking for could be? These are just screen shots but it's a fully built out page claiming to be a PAC let me know your thoughts and if we want to look into it.

D

-----  
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~~CONFIDENTIAL~~

FBI(19cv1278)-383

(30)

To: Steve Bannon [REDACTED]  
 From: Jared Kushner  
 Sent: 2016-09-28T06:31:25-05:00  
 Importance: Normal  
 Subject: Re: request from the ft  
 Received: 2016-09-28T06:31:24-05:00

b6  
 b7C

She is playing commercials about DJT's ties to oligarchs, saying that is why he isn't releasing his taxes.

From: Steve Bannon [REDACTED]  
 Date: Wednesday, September 28, 2016 at 7:16 AM  
 To: Michael Cohen [REDACTED]  
 Cc: Kellyanne Conway [REDACTED]; Jared [REDACTED]; Stephen  
 Miller [REDACTED]  
 Subject: Re: request from the ft

b6  
 b7C

???

On Sep 28, 2016, at 6:09 AM, Michael Cohen [REDACTED] wrote:

Sergei acknowledges that there has never been a relationship between him and the boss. Their commercials are bogus and should be debunked.

Sent from my iPhone

Michael D. Cohen  
 Executive Vice President and  
 Special Counsel to  
 Donald J. Trump  
 725 Fifth Avenue  
 New York, New York 10022  
 Phone: [REDACTED]  
 Cellular: [REDACTED]  
 [REDACTED]

b6  
 b7C

Begin forwarded message:

From: Sergio Millian [REDACTED]  
 Date: September 27, 2016 at 2:48:40 PM EDT  
 To: Michael Cohen [REDACTED]  
 Subject: Fwd: request from the ft

FYI.

----- Forwarded message -----  
 From: Sergio Millian [REDACTED]  
 Date: Tue, Sep 27, 2016 at 9:35 PM  
 Subject: Re: request from the ft

To: Catherine Belton [REDACTED]

b6  
b7c

Catherine,

As I explained to you I have spoken to reporters in the past about Trump and they misquoted me. I work with businesses from all over the world, USA, EU, Africa, Russia, China, Japan, etc. I have a solid reputation with businesses around the world. I am US citizen and do not have and never had Russian citizenship. If you libel or slander my name and it hurts my business, I will consult a lawyer.

Here are the answers to your questions.

I have never said that I worked personally for Mr Trump. I said I was a broker for one of his many real estate projects. There are several brokers who work on such real estate projects. I never represented Mr Trump personally and I am not working with Mr Trump. I've never received a dime from Mr. Trump. I have never been paid by Mr. Trump for any work. I have never consulted Mr Trump on any political topics. I have never met Carter Page. I am shocked to see my name used in press about the totally legal real estate transactions and amounts that are of public knowledge in the USA such as this one <http://money.cnn.com/2016/07/27/news/donald-trump-russian-deal-mansion/>

How often do you speak with Mr. Trump? When was the last time? Eight years ago (2008)

Thank you for honest reporting.

S

Best wishes,

Catherine

On 26 September 2016 at 21:36, Sergio Millian

[REDACTED] wrote:

Hello Catherine,

b6  
b7c

I saw you called me. I'm currently very busy with my business projects. For some reason over 20 journalists called me during the last 3 days.

Best regards,  
Sergei



On 22 September 2016 at 03:13, Sergio Millian

[REDACTED] wrote:

Catherine,

For the record, all of the opinions and views expressed below are my personal views and not official views of the Chamber of Commerce or any of its members, clients or sponsors.

Has there been a slowdown in business deals between Russia and the US in the wake of sanctions and the standoff over Ukraine, or are in fact deals warming up now that there may be a chance of a Trump presidency and a more pro-Russian stance?

Yes, there has been a significant slowdown in NEW business deals between Russia and the US as a result of the sanctions.

What is the role of the Russian American Chamber of Commerce in fostering better ties?

The Russian American Chamber of Commerce in the USA is one of the main business organizations in the USA that assists U.S. companies in Russian and CIS markets entry. We primarily focus on assistance to U.S. manufacturers and exporters. We hosted five Export to Russia Forums with assistance from U.S. Commercial Service in the United States. The Chamber provides market information, practical advice, leads, and referrals to U.S. members of all sizes to facilitate U.S. export, distribution channels, and other forms of business development in Russia and the CIS countries. The Chamber may also assist U.S. members in obtaining visas, legal advice, translations, certifications, exhibition information, office space, HR-services, and offers a cultural program in the CIS. The Chamber facilitates cooperation for U.S. members with American corporations already working in Russia and CIS countries, the Russian Government, Russian Regional Administrations, U.S. Consulates in Russia, Chambers of Commerce in Russia, and corporate leaders from CIS countries.

Business-wise, despite sanctions, the relations between the USA are still quite strong (primarily because of old connections, previously signed contracts and favorable business climate built by President Obama during his first term in the White House when he made a genuine effort to reset the relationship with the Russians). I estimate there are currently more than 10,000 mainly small and medium size businesses in our two countries, employing up to 3 million people.

b6  
b7c

One of the major goals of the United Nations and all peace-loving people is to stop the perpetual world war, which occurs in various forms on our planet for thousands of years, to stop and move in the direction of international cooperation. The only alternative to the global confrontation of civilizations, beliefs, religions, is the mutually beneficial economic cooperation of all countries.

Preventive military aggression, regime change, political pressure and economic war between the two countries and corporations are instruments of politically weak minds. Strong policy minds will create the necessary economic conditions for the prosperity in the United States and abroad.

Today, the world is again at a crossroads. For the hundredth time in human history.

Again, as has already happened many times before, the world is experiencing economic, political, religious and psychological shock. It is high time to think again and stop grabbing the biggest piece of the pie. The global pie is huge, the wealth is so tremendous, there will be enough for all, if we exercise a reasonable approach to the planet's resources, and thoughtfully enjoy the benefits that God has given us.

Let's convert the energy of the global warming of the planet to the warming energy in human relations, employing the achievements in medical technology, information technology, construction, clean and efficient energy to the benefit of Mankind. Therefore, I can say that the responsibility for the future of the world rests upon all of us. It depends on scientists and businessmen, journalists and public workers, politicians and military. It entirely depends on us where our efforts will be directed in our daily business. I hope that the future president of the United States will spread her/his influence throughout the world in order to create global prosperity.

Best regards,  
Sergei Milliam

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32

## Message

From: Steve Bannon [REDACTED]  
 Sent: 11/5/2016 10:43:25 PM  
 To: Jared Kushner [REDACTED]; David Bossie [REDACTED]  
 Subject: Re: Securing the Victory

b6  
b7C

We need to avoid this guy like the plague

They are going to try and say the Russians worked with wiki leaks to give this victory to us

Paul is nice guy but can't let word get out he is advising us

Get Outlook for iOS

From: Jared Kushner [REDACTED]  
 Sent: Saturday, November 5, 2016 5:39:20 PM  
 To: Steve Bannon; David Bossie  
 Subject: FW: Securing the Victory

b6  
b7C

What do u think?

From: Paul Manafort [REDACTED]  
 Date: Saturday, November 5, 2016 at 11:36 AM  
 To: Jared [REDACTED]  
 Subject: Securing the Victory

b6  
b7C

Jared

Not certain if you are offline but am sending for when you are online again.

I am really feeling good about our prospects on Tuesday and focusing on preserving the victory. This memo deals with this concern.

I sent this to Reince, and briefed Rick Gates and Hannity.

Good luck. We are almost there.

Paul

~~CONFIDENTIAL - CONFIDENTIAL TREATMENT REQUESTED~~

FBI(19cv1278)-389  
 DJTFF\_SCG\_00358955

From: [REDACTED]  
Sent: Wed 4/20/2016 8:21 PM (GMT-04:00)  
To: Steve Bannon  
Cc: [REDACTED]  
Bcc:  
Subject: Re: Cambridge Analytica

b6  
b7A  
b7B per DOJ/OIP  
b7C

Hi [REDACTED]  
A pleasure to meet you. Is there a best time to call you tomorrow please?  
[REDACTED]

Sent from my iPhone

> On 20 Apr 2016, at 20:00, Steve Bannon [REDACTED] wrote:  
> [REDACTED] the company

~~Confidential - Confidential Treatment Requested~~

FBI(19cv1278)-406  
SB\_00022488

From: [REDACTED]  
 Sent: Wed 5/04/2016 8:13 AM (GMT-04:00)  
 To: Steve Bannon  
 Cc:  
 Bcc:  
 Subject: [No Subject]

b6  
 b7A  
 b7B per DOJ/OIP  
 b7C

TEXT RECEIVED FROM [REDACTED]

I know [REDACTED] well - he is a total pretender!  
 We worked on our very first pilot program in Virginia with him in 2013.

I will connect with him directly.



b6  
 b7C

US Cell: [REDACTED]  
 UK Cell: [REDACTED]

CA Cambridge Analytica  
 The News Corp. Building, Suite 2703,  
 1211 Avenue of the Americas,  
 New York, NY 10036  
 Phone: +1 (646) 892-9591

1 Wales Alley, Old Town,  
 Alexandria, VA 22314  
 Phone: +1 (703) 997-1812

1-6 Yarmouth Place, Mayfair,  
 London W1J 7BU United Kingdom  
 Phone : +44(0)207 930 3500  
[www.cambridgeanalytica.org](http://www.cambridgeanalytica.org)

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SB 00028613  
 FBI(19cv1278)-407

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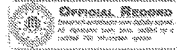
SB\_00028614  
FBI(19cv1278)-408

b7E

FD-302 (Rev. 5-8-10)

- 1 of 22 -

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 09/06/2018

(U) MICHAEL DEAL COHEN (COHEN), date of birth [REDACTED] was interviewed in the Special Counsel's Office, located at 395 E Street SE, Washington, DC. COHEN was accompanied by his attorneys, Guy Petrilo, Amy Lester, and Philip Pilmar, from the law offices of Petrilo Klein & Boxer LLP, 655 Third Avenue, New York, NY. Participating in the interview were FBI Special Agent (SA) [REDACTED] SA [REDACTED] Intelligence Analyst (IA) [REDACTED] Forensic Accountant (FoA) [REDACTED] Senior Assistant Special Counsel (SASC) Jeannie S. Rhee, SASC Andrew D. Goldstein, and Assistant Special Counsel L. Rush Atkinson. Pursuant to signing a proffer agreement and after being advised of the identity of the interviewing agents, COHEN provided the following information:

b6  
b7C

[REDACTED]

b5 Per DOJ/OIP

[REDACTED]

b5 Per DOJ/OIP

[REDACTED]

b5 Per DOJ/OIP

Investigation on 08/07/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date drafted 08/08/2018by [REDACTED]b6  
b7C  
b7E

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FBI(19cv1278)-424

Continuation of FD-302 of (U) Interview of Michael Cohen , On 08/07/2018 , Page 2 of 22

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

FBI(19cv1278)-425



Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 3 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7A  
b7C

FBI(19cv1278)-426

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 4 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

[REDACTED] TRUMP JUNIOR said to TRUMP that he was setting up a meeting in order to get dirt on HILLARY CLINTON. (COHEN did not recall whether TRUMP JUNIOR said "Clinton" or "Hillary.") [REDACTED]

FBI(19cv1278)-427

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 5 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U) Regarding the timing of the meeting, COHEN thought it was prior to June 9<sup>th</sup>, 2016 by a couple of days.

b5 Per DOJ/OIP

b6  
b7C

COHEN reviewed

a calendar of June 2016 and estimated the conversation he witnessed between TRUMP JUNIOR and TRUMP was Monday, June 6, 2016,

FBI(19cv1278)-428

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 6 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C  
b7A

FBI(19cv1278)-429

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 7 of 22

b5 Per DOJ/OIP

b7A

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP  
b6  
b7A  
b7B Per DOJ/OIP  
b7C

FBI(19cv1278)-430

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 8 of 22

b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

COHEN heard b5 Per DOJ/OIP

b7A

b7B Per DOJ/OIP

b7C

TRUMP said, "oh good, alright."

FBI(19cv1278)-431

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 9 of 22

	b5 Per DOJ/OIP b6 b7A b7B Per DOJ/OIP b7C
	bb5 Per DOJ/OIP b7A b7B Per DOJ/OIP b7C
	b5 Per DOJ/OIP b6 b7A b7B Per DOJ/OIP b7C
	b5 Per DOJ/OIP b6 b7A b7B Per DOJ/OIP b7C

FBI(19cv1278)-432

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 10 of 22

	b5 Per DOJ/OIP b6 b7A b7B Per DOJ/OIP b7C
	b5 Per DOJ/OIP b6 b7A b7B Per DOJ/OIP b7C
	b5 Per DOJ/OIP b6 b7A b7B Per DOJ/OIP b7C
	b5 Per DOJ/OIP b6 b7A b7B Per DOJ/OIP b7C

FBI(19cv1278)-433



Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 11 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b6  
b7C

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 12 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-435

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 13 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-436

[Redacted]

[Redacted]

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 14 of 22

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b6  
b7C

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 15 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U) COHEN did not have discussions with the TRUMP CAMPAIGN about TTM.

b5 Per DOJ/OIP

(U) Nobody from the campaign asked COHEN how TTM was going.

b5 Per DOJ/OIP

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 16 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-439

Continuation of FD-302 of (U) Interview of Michael Cohen , On 08/07/2018 , Page 17 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

COHEN knew he was b5 Per DOJ/OIP

Russian Olympic Weightlifter.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-440

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 18 of 22

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b7A

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

FBI(19cv1278)-441



Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 19 of 22

[Redacted] b5 Per DOJ/OIP  
b7A

[Redacted] b5 Per DOJ/OIP  
b6  
b7C

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP  
b6  
b7C

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 20 of 22

[Redacted] b5 Per DOJ/OIP

[Redacted] b6  
b7C

[Redacted] b5 Per DOJ/OIP

[Redacted] b6  
b7C

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP

[Redacted] b6  
b7C

[Redacted] b5 Per DOJ/OIP

[Redacted] b6  
b7C

FBI(19cv1278)-443

FD-302a (Rev. 05-08-10)

b7E

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 21 of 22

[Redacted]

[Redacted]

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-444

Continuation of FD-302 of (U) Interview of Michael Cohen, On 08/07/2018, Page 22 of 22

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

(1)

8/7/2018

Michael Cohen

attys: · Guy Patricio

· Amy Lester

· Philip Pilmar

Patricio Klein &amp;

Boxer LLP,

655 Third Ave  
New York, NY

LRA

JSP

ADG-

b6  
b7C

b5 Per DOJ/OIP

LRA:

b5 Per DOJ/OIP

LRA

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-446

(9)

b5 Per DOJ/OIP

DJT Jr: ~~Not~~

I have a meeting in order to get dirt  
on Clinton.  
(or "Hillary")

b5 Per DOJ/OIP

(11)

prior to June 9 by a couple of days.

Rem. it was kind of the beginning of the

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-456

b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

*the name*

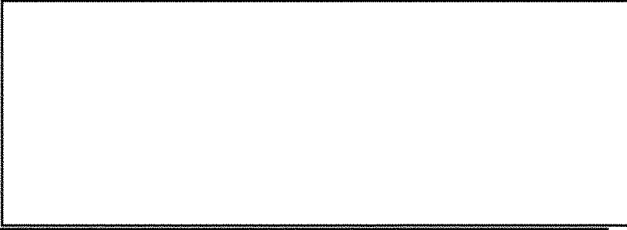
b5 Per DOJ/OIP

b6  
b7A  
b7B Per DOJ/OIP  
b7C

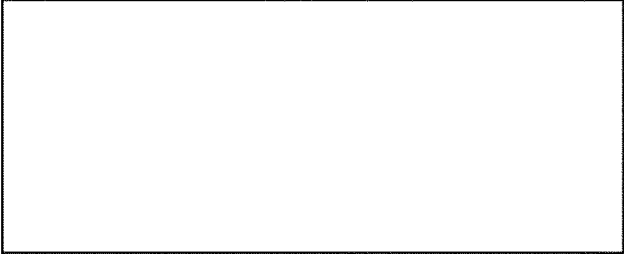
*DT - '06 good abt*

b5 Per DOJ/OIP





b5 Per DOJ/OIP



b5 Per DOJ/OIP

Any discuss w/ RT org w/campaign  
abt TTP at same time at campaign  
NO -



b5 Per DOJ/OIP

LHA

Nobody asked how TTM was doing  
in the context of campaign.

b5 Per DOJ/OIP

MO

b5 Per DOJ/OIP

FS

b5 Per DOJ/OIP

JSP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

Klokov -

[Redacted]

b5 Per DOJ/OIP

[Redacted]

Assn Olympic weightlifter

[Redacted]

b5 Per DOJ/OIP

ADG  
MC-

b5 Per DOJ/OIP

not a  
paralegal



**U.S. Department of Justice**  
*The Special Counsel's Office*

Washington, D.C. 20530

August 6, 2018

Guy Petrillo  
Petrillo Klein & Boxer LLP  
655 Third Ave.  
22nd Floor  
New York, NY 10017

Re: Michael D. Cohen

Dear Counsel:

You have indicated that your client Michael D. Cohen (hereinafter "Client"), is interested in providing information to the government.

With respect to the meeting between the government, Client and yourself on August 7, 2018 (hereinafter "the meeting"), the government will be represented by individuals from the Special Counsel's Office and the Federal Bureau of Investigation. The terms of this letter do not bind any office or component of the U.S. Department of Justice other than those identified in the preceding sentence. The following terms and conditions apply to the meeting:

(1) **THIS IS NOT A COOPERATION AGREEMENT.** Client has agreed to provide information to the government, and to respond to questions truthfully and completely. By receiving Client's proffer, the government does not agree to make any motion on Client's behalf or to enter into a cooperation agreement, plea agreement, immunity agreement or non-prosecution agreement with Client. The government makes no representation about the likelihood that any such agreement will be reached in connection with this meeting.

(2) Should Client be prosecuted, no statements made by Client during the meeting will be used against Client in the government's case-in-chief at trial or for purposes of sentencing, except as provided below.

(3) The government may use any statement made or information provided by Client, or on Client's behalf, in a prosecution for false statements, perjury, or obstruction of justice, premised on statements or actions during the meeting. The government may also use any such statement or information at sentencing in support of an argument that Client failed to provide truthful or complete information during the meeting, and, accordingly: (a) that under the United States Sentencing Guidelines, Client is not entitled to a downward adjustment for acceptance of

FBI(19cv1278)-501

responsibility pursuant to Section 3E1.1, or should receive an upward adjustment for obstruction of justice pursuant to Section 3C1.1; and (b) that Client's conduct at the meeting is a relevant factor under 18 U.S.C. § 3553(a).

(4) The government may make derivative use of any statements made or other information provided by Client during the meeting. Therefore, the government may pursue any investigative leads obtained directly or indirectly from such statements and information and may use the evidence or information subsequently obtained therefrom against Client in any manner and in any proceeding.

(5) In any proceeding, including sentencing, the government may use Client's statements and any information provided by Client during or in connection with the meeting to cross-examine Client, to rebut any evidence or arguments offered on Client's behalf, or to address any issues or questions raised by a court on its own initiative.

(6) Neither this agreement nor the meeting constitutes a plea discussion or an attempt to initiate plea discussions. In the event this agreement or the meeting is later construed to constitute a plea discussion or an attempt to initiate plea discussions, Client knowingly and voluntarily waives any right Client might have under Fed. R. Evid. 410, Fed. R. Crim. P. 11(f), or otherwise, to prohibit the use against Client of statements made or information provided during the meeting.

(7) The government reserves the right to argue that neither this agreement nor the meeting constitutes the timely provision of complete information to the government concerning Client's involvement in an offense, within the meaning of Section 3E1.1(b) of the Sentencing Guidelines.

(8) If and when required to do so by a court, the government may disclose to the Probation Office or the court any statements and information provided by Client during the meeting.

(9) The government may disclose the fact of the meeting or the information provided by Client during the meeting to the extent the government determines in its sole discretion that disclosure would be in furtherance of its discharge of its duties and responsibilities or is otherwise required by law. Such disclosure includes disclosure to a local, state, federal, or foreign government office or agency, including but not limited to another prosecutor's office, if the recipient of the information agrees to abide by the relevant terms of this agreement.

(10) The terms and conditions set forth in this agreement extend, if applicable, to the continuation of the meeting on the dates that appear below.

(11) It is understood that this agreement is limited to the statements made by Client at the meeting and does not apply to any oral, written or recorded statements made by Client at any other time.

(12) This document embodies the entirety of the agreement between the government and Client to provide information and evidence. No other promises, agreements or understandings exist between Client and the government regarding Client's provision of information or evidence

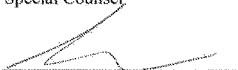
to the government.

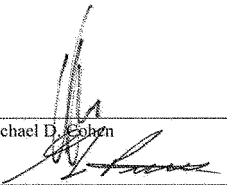
(13) Client and Client's attorney acknowledge that they have read, fully discussed and understand every paragraph and clause in this document and the consequences thereof.

Dated: August 7, 2018

At: Washington, DC

ROBERT S. MUELLER, III  
Special Counsel

By:   
L. Rush Atkinson  
Assistant Special Counsel  
The Special Counsel's Office

  
Michael D. Cohen

Guy Petrillo  
Attorney for Client

Dates of Continuation

Initials of counsel, Client and government attorney

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U.S. Department of Justice

**Federal Bureau of Investigation**

Washington, D.C. 20535

January 2, 2020

MR. JASON LEOPOLD  
 BUZZFEED NEWS  
 7<sup>TH</sup> FLOOR  
 1630 CONNECTICUT AVENUE NW  
 WASHINGTON, DC 20009

FOIPA Request No.: 1432673-000  
 Civil Action No.: 19-cv-01278  
 Subject: All 302's of individuals who were  
 questioned/interviewed by FBI Agents working for the  
 Office of Special Counsel Robert Mueller

Dear Mr. Leopold:

The enclosed documents were reviewed under the Freedom of Information/Privacy Acts (FOIPA), Title 5, United States Code, Section 552/552a. Below you will find checked boxes under applicable statutes for the exemptions asserted to protect information exempt from disclosure. The appropriate exemptions are noted on the processed pages next to redacted information. In addition, a deleted page information sheet was inserted to indicate where pages were withheld entirely pursuant to applicable exemptions. An Explanation of Exemptions is enclosed to further explain justification for withheld information.

**Section 552**☒ (b)(1)☐ (b)(2)☒ (b)(3)Federal Rules ofCriminal Procedure 6(e)50 U.S.C § 3024(i)☒ (b)(4)☒ (b)(5)☒ (b)(6)☒ (b)(7)(A)☒ (b)(7)(B)☒ (b)(7)(C)☒ (b)(7)(D)☒ (b)(7)(E)☒ (b)(7)(F)☐ (b)(8)☐ (b)(9)**Section 552a**☐ (d)(5)☐ (j)(2)☐ (k)(1)☐ (k)(2)☐ (k)(3)☐ (k)(4)☐ (k)(5)☐ (k)(6)☐ (k)(7)

430 pages were reviewed and 349 pages are being released.

- ☒ Deletions were made by the Department of Justice/Office of Information Policy. To appeal those denials, please write directly to that agency.

Please see the paragraphs below for relevant information specific to your request and the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

- ☒ Document(s) were located which originated with, or contained information concerning, other Government Agency (ies) [OGA].
- ☐ This information has been referred to the OGA(s) for review and direct response to you.
- ☒ We are consulting with another agency. The FBI will correspond with you regarding this information when the consultation is completed.



Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. **"Part 1"** of the Addendum includes standard responses that apply to all requests. **"Part 2"** includes additional standard responses that apply to all requests for records on individuals. **"Part 3"** includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

Although your request is in litigation, we are required by law to provide you the following information:

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, D.C. 20001, or you may submit an appeal through OIP's FOIA online portal by creating an account on the following website: <https://www.foiaonline.gov/foiaonline/action/public/home>. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI's FOIA Public Liaison by emailing [foipaquestions@fbi.gov](mailto:foipaquestions@fbi.gov). If you submit your dispute resolution correspondence by email, the subject heading should clearly state "Dispute Resolution Services." Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Please direct any further inquiries about this case to the Attorney representing the Government in this matter. Please use the FOIPA Request Number and/or Civil Action Number in all correspondence or inquiries concerning your request.



See additional information which follows.

Sincerely,



David M. Hardy  
Section Chief  
Record/Information  
Dissemination Section  
Information Management Division

Enclosures

**Additional Information:**

In response to your Freedom of Information/Privacy Acts (FOIPA) request, enclosed is a processed copy of Bates Stamped documents, FBI (19-cv-1278)-1010 through FBI (19-cv-1278)-1439. The enclosed documents represent the third interim release of information responsive to your request. To minimize costs to both you and the FBI, duplicate copies of the same document were not processed.

## FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum includes information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes additional standard responses that apply to all requests for records on individuals. Part 3 includes general information about FBI records. For questions regarding Parts 1, 2, or 3, visit the [www.fbi.gov/foia](http://www.fbi.gov/foia) website under "Contact Us." Previously mentioned appeal and dispute resolution services are also available at the web address.

## Part 1: The standard responses below apply to all requests:

- (i) **5 U.S.C. § 552(c).** Congress excluded three categories of law enforcement and national security records from the requirements of the FOIA [5 U.S.C. § 552(c) (2006 & Supp. IV (2010))]. FBI responses are limited to those records subject to the requirements of the FOIA. Additional information about the FBI and the FOIPA can be found on the [www.fbi.gov/foia](http://www.fbi.gov/foia) website.
- (ii) **National Security/Intelligence Records.** The FBI can neither confirm nor deny the existence of national security and foreign intelligence records pursuant to FOIA exemptions (b)(1), (b)(3), and PA exemption (j)(2) as applicable to requests for records about individuals [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2); 50 U.S.C. § 3024(i)(1)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that national security or foreign intelligence records do or do not exist.

## Part 2: The standard responses below apply to all requests for records on individuals:

- (i) **Requests for Records about any Individual—Watch Lists.** The FBI can neither confirm nor deny the existence of any individual's name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.
- (ii) **Requests for Records for Incarcerated Individuals.** The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

## Part 3: General Information:

- (i) **Record Searches.** The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching those systems or locations where responsive records would reasonably be found. A reasonable search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled and maintained by the FBI in the course of fulfilling law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization and encompasses the records of FBI Headquarters (FBIHQ), FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide and includes Electronic Surveillance (ELSUR) records. For additional information about our record searches visit [www.fbi.gov/services/information-management/foipa/requesting-fbi-records](http://www.fbi.gov/services/information-management/foipa/requesting-fbi-records).
- (ii) **FBI Records.** Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.
- (iii) **Requests for Criminal History Records or Rap Sheets.** The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks – often referred to as a criminal history record or rap sheets. These criminal history records are not the same as material in an investigative "FBI file." An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at [www.fbi.gov/about-us/cjis/identity-history-summary-checks](http://www.fbi.gov/about-us/cjis/identity-history-summary-checks). Additionally, requests can be submitted electronically at [www.edo.cjis.gov](http://www.edo.cjis.gov). For additional information, please contact CJIS directly at (304) 625-5590.
- (iv) **The National Name Check Program (NNCP).** The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private citizens cannot request a name check.

## EXPLANATION OF EXEMPTIONS

## SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

- (b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;
- (b)(2) related solely to the internal personnel rules and practices of an agency;
- (b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;
- (b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;
- (b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;
- (b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;
- (b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information ( A ) could reasonably be expected to interfere with enforcement proceedings, ( B ) would deprive a person of a right to a fair trial or an impartial adjudication, ( C ) could reasonably be expected to constitute an unwarranted invasion of personal privacy, ( D ) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, ( E ) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or ( F ) could reasonably be expected to endanger the life or physical safety of any individual;
- (b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or
- (b)(9) geological and geophysical information and data, including maps, concerning wells.

## SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

- (d)(5) information compiled in reasonable anticipation of a civil action proceeding;
- (j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;
- (k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;
- (k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;
- (k)(4) required by statute to be maintained and used solely as statistical records;
- (k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;
- (k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;
- (k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

## FEDERAL BUREAU OF INVESTIGATION

FOI/PA

## DELETED PAGE INFORMATION SHEET

Civil Action No.: 19-cv-1278 / 19-cv-1626

FOIA: 1432673-000 / 1433273-000

PDF Title: 19-cv-1278 Release 3 Bates 1010-1439

Total Withheld Pages = 81

Bates Page Reference	Reason for Withholding (i.e., exemptions with coded rationale, duplicate, sealed by order of court, etc.)
FBI(19cv1278) 1027	Referral/Consult
FBI(19cv1278) 1028	Referral/Consult
FBI(19cv1278) 1029	Referral/Consult
FBI(19cv1278) 1030	Referral/Consult
FBI(19cv1278) 1031	Referral/Consult
FBI(19cv1278) 1032	Referral/Consult
FBI(19cv1278) 1033	Referral/Consult
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FBI(19cv1278) 1225	Referral/Consult
FBI(19cv1278) 1226	Referral/Consult

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FBI(19cv1278) 1397	b3; b5; b6; b7C; b7E; b7F
FBI(19cv1278) 1398	b3; b5; b6; b7C; b7E; b7F
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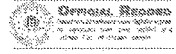
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FD-302 (Rev. 5-8-10)

- 1 of 5 -

## FEDERAL BUREAU OF INVESTIGATION



Date of entry 07/23/2018

Rick Dearborn was interviewed at 395 E. Street SW, Washington, D.C., the Special Counsel's office, in the presence of his attorney [redacted] from the law firm Berliner Corcoran & Rowe LLP, and [redacted] and [redacted] interns from Berliner Corcoran & Rowe LLP. Participating in the interview were FBI Special Agent [redacted] FBI Intelligence Analyst [redacted] Senior Counselor to the Special Counsel James L. Quarles III, and Senior Assistant Special Counsel Andrew Goldstein. Dearborn was advised it is a crime to lie to the FBI in the course of an investigation and he acknowledged he understood. After being advised of the identity of the interviewing agent and the purpose of the interview, Dearborn provided the following information:

b6  
b7C

[redacted]

b5 Per DOJ/OIP

## Relationship with Corey Lewandowski:

[redacted]

b5 Per DOJ/OIP

[redacted]

b5 Per DOJ/OIP

[redacted] Dearborn described Lewandowski as a "comfort to the President," [redacted] whose loyalty was appreciated by Trump.

[redacted]

b5 Per DOJ/OIP

Investigation on 06/20/2018 at Washington, District Of Columbia, United States (In Person)

File # [redacted] Date drafted 06/24/2018

by [redacted]

b6  
b7C  
b7E

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Continuation of FD-302 of (U) Interview of Rick Dearborn , On 06/20/2018 , Page 2 of 5

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Request from Lewandowski regarding AG Sessions:

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Continuation of FD-302 of (U) Interview of Rick Dearborn . On 06/20/2018 . Page 3 of 5

Dearborn saw Lewandowski [redacted] outside the Oval Office and b5 Per DOJ/OIP  
Lewandowski said words to the effect of, "I want you to talk to the  
Attorney General about something." Lewandowski handed Dearborn a typed  
piece of paper. [redacted]

Dearborn no longer had the paper [redacted] b5 Per DOJ/OIP

[redacted]  
[redacted] It "definitely raised an eyebrow"  
for Dearborn. He did not want to think further about doing anything with  
it or where the message came from. [redacted]

[redacted]  
[redacted] being asked to serve as a messenger. It made Dearborn  
uncomfortable.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Dearborn did not recall whether Lewandowski said the message on the paper  
came from Trump. [redacted] b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Rick Dearborn , On 06/20/2018 , Page 4 of 5

Dearborn told Lewandowski words to the effect that he "took care of it," or "handled it," even though he had done nothing with the message. b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Rick Dearborn , On 06/20/2018 , Page 5 of 5

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

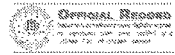
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

## FEDERAL BUREAU OF INVESTIGATION

b7A  
b7EDate of entry 11/02/2018

Paul J. Manafort, date of birth [REDACTED] was interviewed at the Special Counsel's Office, located at 395 E Street SE, Washington, D.

b6  
b7C

C. Participating in the interview were Special Agent (SA) [REDACTED]  
[REDACTED] SA [REDACTED] Senior Assistant Special Counsel (SASC) Jeannie S. Rhee, SASC Andrew Weissman, SASC Andrew Goldstein, and Assistant Special Counsel Aaron Zelinsky. Manafort was accompanied by his attorneys, Richard Westling and Thomas Zehnle. After being advised of the identities of the interviewing agents and the nature of the interview, Manafort provided the following information:

[REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

Toward the end of September or beginning of October 2016, [REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

Manafort was familiar with the statement Assange made on October 3, 2016, but he did not independently remember it. He may have discussed it with

[REDACTED]

but he was not su

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED]

Investigation on 10/01/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 10/05/2018

by [REDACTED]

b6  
b7A  
b7C  
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(U) Interview of Paul J. Manafort

Continuation of FD-302 of (10.01.18)

. On 10/01/2018 . Page 2 of 12

b6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7C

Manafort did not recall [redacted] the release of Podesta emails b6  
the Billy Bush/Access Hollywood release of information. He did not rec b7A  
[redacted] Podesta release to happen in order to blunt th b7B per DOJ/OIP  
b7C  
impact of the Billy Bush tape. They talked about the impact of both, but  
not a causal connection.

Manafort did not know, but thought [redacted] b6  
the Podesta emails and the Billy Bush tape. Manafort would have been b7A  
[redacted] b7B per DOJ/OIP  
b7C

(U) Interview of Paul J. Manafort  
Continuation of FD-302 of (10.01.18) . On 10/01/2018 . Page 3 of 12

Manafort said [redacted] the Eliot Spitzer scandal, and the way he talked about the Podesta emails was different. [redacted] the hookers in the Spitzer case to public. [redacted]

b6

b7A

b7B

per DOJ/OIP

b7C

[redacted] before Spitzer was Attorney General. Manafort recalled the time [redacted]

b6

b7A

b7B

per DOJ/OIP

b7C

b6

b7A

b7B

per DOJ/OIP

b7C

Manafort was not sure if his memory of the Russia/Uranium One deal was from the Podesta emails or from the Clinton Cash book.

b6

b7A

b7B

per DOJ/OIP

b7C

Manafort did not recall conversations with [redacted] [redacted] Manafort was [redacted] of the country a lot post-election and did not recall speaking with [redacted] on any of his trips.

b6

b7A

b7B

per DOJ/OIP

b7C

Manafort recalled speaking to [redacted] after the dossier came out at a dinner with [redacted] at The Palm. Manafort thought the dossier was outrageous as the driver of the investigation. At the dinner, someone brought up [redacted]

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(U) Interview of Paul J. Manafort

Continuation of FD-302 of (10.01.18)

. On 10/01/2018 . Page 4 of 12

b6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7C

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(U) Interview of Paul J. Manafort  
(10.01.18)

Continuation of FD-302 of \_\_\_\_\_ . On 10/01/2018 . Page 5 of 12

b6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7C

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(U) Interview of Paul J. Manafort  
Continuation of FD-302 of (10.01.18) , On 10/01/2018 , Page 6 of 12

[redacted] Manafort also recalled there was a distinction between the media story and what he himself believed. [redacted]

[redacted] Manafort and [redacted] have not talked since June 2018.

b6  
b7A  
b7B per DOJ/OIP  
b7C

Congressional and Special Counsel Investigations:

Manafort probably first learned the campaign was being investigated around the time the dossier came out. Manafort was first aware of Congressional interest in him in February or March 2017. He hired counsel in February 2017, because he assumed it would come up.

No one from the administration reached out to Manafort and Manafort did not contact the administration. No one at the White House offered any guidance on counsel Manafort should retain. Rick Gates was the only one related to the campaign or the administration that reached out to Manafort.

Between March 20, 2017 (the date then-FBI Director Comey testified about the existence of an investigation on Russian interference in the election and the campaign's links to the interference) and May 9, 2017 (the day Comey was fired), Manafort deliberately did not have any contact with anyone related to the campaign. He had no indirect or direct contact with anyone associated with the campaign. He was on a separate track and had built a wall between himself and them. Manafort had his own counsel and did not reach out to anyone. Gates may have been talking to people in the campaign, but Manafort did not.

Manafort purposely did not talk to Tom Barrack. Barrack was very risk averse. He did speak to [redacted] but [redacted] was not part of the administration.

b6  
b7A  
b7C

Manafort recalled he discussed Comey's July 2016 press conference about Clinton with Trump, Reince Priebus, and Jared Kushner. He recalled that Trump said it was totally inappropriate for Comey to announce the position of the Department of Justice and that Comey was operating way outside of his space. Trump said it was a rigged system and signaled the politicization of the Department of Justice. They talked about how to use it in their campaign, saying that the fix was in between Loretta Lynch and

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(U) Interview of Paul J. Manafort

Continuation of FD-302 of (10.01.18) . On 10/01/2018 . Page 7 of 12

the Clintons. It happened before the Republican National Convention, and Manafort remembered they considered how to use it in the convention. He talked to a lot of people about it around then.

The focus on Comey was that the Department of Justice should not have let him make a statement, and the FBI should not have done it alone, as if it was Comey's decision alone. Trump called it a rigged system based on the fact that the Department of Justice and the White House let Comey make the statement.

Trump talked to Manafort about the propriety of publicly discussing the investigation and thought everything about it was unusual. Trump mentioned the way Clinton was interviewed and the fact that her aides were granted immunity and were allowed in the room during her interview.

Among those that advised Trump about what was appropriate or inappropriate were a number of people with prosecutorial experience, like Rudy Giuliani, Chris Christie, Donald McGahn, and Jeff Sessions. Everyone had the same message about it and it was Manafort's job to figure out what to do about it.

Manafort truly believed the system was rigged. The fix was in and the Clinton investigation's outcome was predetermined. It surprised everyone when Comey sent a follow up letter after his initial press conference. Manafort was gone by then, but counseled everyone to be careful in case it was a "wolf in sheep's clothing." He advised the campaign to use it but not to get too caught up in it or let it become the close of the campaign. Manafort thought he relayed his message through Kushner, Gates, and maybe Stephen Miller. He did not speak directly to Trump about it.

When the second letter came out, they were focused on what the close of the campaign should be and the letter was not a central part of it.

Manafort and Trump did not discuss Comey's status. Manafort did not hear anything about Trump's view of Comey. Manafort thought Trump was not a fan of Comey after the election because he had not been a fan during the campaign and nothing had changed. Manafort did not expect Trump to keep Comey on.

Manafort and Trump had conversations in which they said Comey was a political partisan. Trump thought it was a joke when people said Comey was a Republican and never viewed him as a Republican. Trump thought Comey had made his bed with the Obama administration and was part of the other team. Trump thought Comey's allegiance was to the Obama and Clinton administrations.

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(U) Interview of Paul J. Manafort  
(10.01.18)

Continuation of FD-302 of \_\_\_\_\_ . On 10/01/2018 . Page 8 of 12

Manafort thought that Comey still came across as a partisan in spite of his negative statements about Clinton in the press conference because the lead up mattered less than the conclusion. Manafort thought the negative lead up to the conclusion only showed the absolute absurdity of the conclusion.

Manafort truly believed that Lynch and Bill Clinton's meeting on the tarmac was engineered in order for Lynch to give Bill Clinton the questions that would be asked in the interview of his wife. It did not make sense that they wanted to talk about their grandkids. Manafort thought there was no way their meeting was happenstance and had to have been pre-organized. Lynch had been a subordinate to the Clintons. They thought they would not get caught.

Sometime after the Special Counsel's Office was stood up, close to the end of June, Manafort's counsel told him about the email chain that set up the June 9, 2016 meeting at Trump Tower. He recalled the conversation was before the search executed at his apartment.

Manafort recalled his counsel raised the meeting and that he himself did not remember it at first. Manafort asked Gates if he (Manafort) had been at the meeting. The emails were the trigger for asking Gates about it. At some point after the meeting was public, Manafort found his notes of the meeting. In the process of downloading his material, his notes were found in the "deleted notes" section of the cloud. It was his practice to delete notes when he no longer needed them.

Manafort did not initially remember if he knew the story was coming out before it did. Manafort reviewed a July 8, 2017 New York Times article titled "Trump Team Met With Lawyer Linked to Kremlin During Campaign" that said Manafort had disclosed the meeting to congressional investigators. Based on that, he thought it was possible his counsel found the email and directed him to it and told him they planned to speak to the congressional committees about it, not that he first learned about it in the media.

Manafort stated that the article refreshed his memory and he recalled that the documents were sent to Congress and were given to Manafort's attorneys because of the disclosure to the Hill. After that, the stories came out in the press. Manafort's memory was that he got an email either from someone on the Hill or from someone else's attorney that the story was coming out. The information in the story did not come from Manafort.

Manafort assumed the June 9, 2016 meeting would be of interest to the Special Counsel's Office.

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[REDACTED]

(U) Interview of Paul J. Manafort  
(10.01.18)

Continuation of FD-302 of [REDACTED] . On 10/01/2018 . Page 9 of 12

Manafort did not have access to his [REDACTED] email account after he left the campaign, per campaign policy. He only had access to his gmail and DMP email accounts.

b6  
b7C

Manafort did not discuss the June 9, 2016 meeting with Alan Futerfas or Alan Garten. He did discuss it with Sean Hannity, a close personal friend, after the meeting had been made public. Manafort thought he probably just complained about it. They did not talk about strategy, just the facts.

Manafort did not talk to Donald Trump, Jr. directly. Their respective counsel spoke to one another. Manafort watched Trump, Jr. on the Hannity show talk about the June 9, 2016 meeting. Manafort agreed with what Trump, Jr. said, which was that it was a nothing meeting. Trump, Jr. represented the meeting the way Manafort remembered it, not as a meeting on dirt on Clinton. Manafort did not have any concerns about Trump, Jr.'s statement.

The meeting was about the Magnitsky Act, which in turn made it about adoptions. Manafort knew before the meeting that the Magnitsky Act was a human rights act enacted because of torture of Bill Browder's attorney that resulted in sanctions for Russians. As a result, Vladimir Putin put a halt on US adoptions of Russian children as a way to pressure the United States to get rid of the sanctions. Manafort was familiar with the Magnitsky Act prior to the meeting and had read Browder's book on the Magnitsky Act.

Around the time of the public disclosure of the meeting, Manafort did not speak to Trump, Marc Kasowitz, Mark Corallo, or anyone affiliated with Trump's or Kushner's legal teams. All discussions were with counsel and through counsel, other than his discussion with Hannity. He did not talk to Sean Spicer, Hope Hicks, or Reince Priebus.

Trump, Jr. did not tell Manafort in advance he planned to release the emails on Twitter. Manafort was surprised Trump, Jr. did it, but understood why he did it.

Manafort did not hear from anyone that Trump or anyone else tried to stop the emails from coming out, other than what he read publicly.

Between the July 2017 search at Manafort's residence and his October 2017 indictment, Manafort did not recall any direct or indirect contact from anyone in the White House. He spoke to Hannity, who was "certainly a back channel," but also a personal friend. Manafort knew Hannity was speaking to Trump around then because Hannity would tell Manafort to hang in there, that he had been talking to Trump, that Trump had his back, and things like that. Manafort understood his conversations with Hannity to be a

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(U) Interview of Paul J. Manafort  
Continuation of FD-302 of (10.01.18) . On 10/01/2018 . Page 10 of 12

message from Trump. Manafort did not remember specifically when the conversations happened, but it was the "natural kind of text messaging" they would do. They also spoke on the phone. The frequency was dependent on what was going on at the time; sometimes they spoke twice a week, some weeks not at all.

If Manafort wanted to send a message to Trump, he would have gone through a mutual friend of theirs, like Chris Christie, [REDACTED] Tom Barrack, or [REDACTED] but he never did so.

b6  
b7C

After Rick Gates was charged, Manafort and Gates discussed money, because Gates was concerned about financing his defense. Manafort thought they would qualify for funding from an RNC fund that had been set up. Mike Glassner sent something to Manafort's lawyer saying Manafort and Gates would qualify for the fund. Manafort and Glassner had known each other for twenty years. Ultimately, it turned out the fund would only benefit people who were unindicted.

Manafort did not talk to John Dowd, but his attorney did. Manafort did not think Dowd had contributed to their defense fund.

The conversation between Dowd and Manafort's attorney happened around the same time Manafort's attorney received the communication from Glassner about the RNC fund.

Gates and Manafort discussed getting new counsel for Gates, because Gates' counsel was not appropriate for what was going on. Gates' original counsel, [REDACTED] was hired because Gates needed someone the day of arraignment and [REDACTED] was available. [REDACTED] another of Gates' attorneys, was recommended by [REDACTED] Tom Green was friends with [REDACTED] which was how Gates ended up hiring Green.

b6  
b7C

Manafort does not believe Trump will pardon him.

Gates raised the issue of pardons with Manafort during a conversation about money. Gates said Manafort would get a pardon and Gates would not. Manafort did not specifically recall other conversations, but said it may have come up once or twice. Manafort did not tell or suggest to Gates that he had talked to Dowd or Trump and that they would be taken care of. Manafort never told Gates he talked to Trump or Dowd. It was possible he told Gates that his lawyers had talked to Trump or Dowd, but it would have been in relation to money.

Talking about a pardon was not going to give Gates any comfort. Manafort told Gates they would find a way to resolve things and raise money, but he did not offer to take on Gates' legal bills.

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(U) Interview of Paul J. Manafort

Continuation of FD-302 of (10.01.18) . On 10/01/2018 . Page 11 of 12

Manafort was hopeful for a pardon but did not discuss one directly with Trump. He noticed Trump's public comments about pardons. Manafort never received any sort of assurance from Trump about a pardon. They did not discuss how best for Manafort to situate himself.

Manafort thought it was probably best to fight until the end but ultimately decided he wanted to deal with taking care of his family. When he saw the jury pool questionnaire for the trial [in the District of Columbia], Manafort knew it was over. He struck 90 of the 120 potential jurors based on their answers and thought the rest were lying. He thought that between that jury and Judge Jackson, he had no chance at trial. Manafort did decide to plead guilty to avoid the negative press of fighting it out, since the bad stuff was already in the plea. He knew he was going to lose, and it was not worth the agony or the money to continue to fight.

No one from the White House or the campaign sent a message after his plea. He did not recall telling Gates that Trump was watching their case, but it sounded like something he would say. If he said it, it was based on reading the newspaper; he did not get any private information from Trump.

Manafort had never talked to Robert Costello. He had not spoken with or received messages from Giuliani since his indictment.

Manafort was not told anything about what happened to Mike Flynn in the lead up to Flynn's termination. All Manafort knew about Flynn's calls to Kislyak was based on public reporting.

Manafort was aware that Flynn had Turkish and Middle East business connections. On a trip to the Middle East in April 2017, [redacted] [redacted] approached Manafort and asked if he was interested in more work in Turkey. [redacted] explained part of the work was related to getting a cleric back to Turkey. Manafort said he was not interested and asked if the work was associated with Flynn, and [redacted] said yes. Manafort was later led to believe Flynn [redacted] had done something for [redacted] and the Turkish government.

b6  
b7C

Manafort turned it down because he was not comfortable with it. He had decided not to deal with the administration until all of his issues were cleared up and did not want to lobby them.

**Administrative:** The original agent notes and document shown to Manafort will be maintained in the 1A section of the case file.

FD-302a (Rev. 05-08-10)

b7A  
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(U) Interview of Paul J. Manafort

Continuation of FD-302 of (10.01.18) . On 10/01/2018 . Page 12 of 12

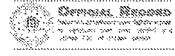
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b7E

FD-302 (Rev. 5-8-10)

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/06/2017

Stephen Miller was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, D.C. Miller was accompanied by his attorneys, [redacted] and [redacted] from the law office of King & Spalding.

b6  
b7C

Participating in the interview were FBI Special Agent (SA) [redacted] SA [redacted] Senior Counselor to the Special Counsel James L. Quarles III, and Senior Assistant Special Counsel Andrew Goldstein. Miller was advised it is a crime to lie to the FBI in the course of an investigation, which he acknowledged. After being advised of the identities of the interviewing team and the purpose of the interview, Miller provided the following information:

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Investigation on 10/31/2017 at Washington, District Of Columbia, United States (In Person)File # [redacted]Date drafted 11/28/2017by [redacted]b6  
b7C  
b7E

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Continuation of FD-302 of (U) Interview of Stephen Miller . On 10/31/2017 . Page 2 of 14

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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FD-302a (Rev. 05-08-10)

[Redacted]

[Redacted]

Continuation of FD-302 of (U) Interview of Stephen Miller , On 10/31/2017 , Page 3 of 14

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Stephen Miller . On 10/31/2017 . Page 4 of 14

b5 Per DOJ/OIP

Miller recalled Comey's March 20, 2017 testimony, specifically that Trump was frustrated Comey said there was an investigation

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

May 5-7, 2017 Visit to Bedminster, New Jersey:

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

FBI(19cv1278)-1042

Continuation of FD-302 of (U) Interview of Stephen Miller . On 10/31/2017 . Page 5 of 14

Friday night in Bedminster, Miller went to dinner with Trump. [REDACTED] b5 Per DOJ/OIP

[REDACTED] Kushner were there, [REDACTED]

b6  
b7C

Trump started off dinner on Friday night with the topic of Comey's termination. [REDACTED]

b5 Per DOJ/OIP

[REDACTED] At the top of the dinner, Trump said he wanted to remove Comey and wanted to articulate his reasons in a "well honed" letter, [REDACTED] Trump already had a "great concept" for a letter that would be used to fire Comey and make the announcement. [REDACTED]

[REDACTED] Trump [REDACTED] began to lay out his arguments for Comey's termination. [REDACTED]

[REDACTED]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Stephen Miller . On 10/31/2017 . Page 6 of 14

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] Trump dictating to Miller. [REDACTED]

After dinner, [REDACTED] b5 Per DOJ/OIP  
Then he went to his room, did extensive research to support the letter on his laptop, conducted some research, took his own best thoughts and Trump's best thoughts, and began the process of putting the letter together. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

Interviewers showed Miller a draft of the termination letter with handwritten notes (designated at Tab "D"); Miller confirmed most of the edits on the letter were in Trump's handwriting. The handwriting at the

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Continuation of FD-302 of (U) Interview of Stephen Miller , On 10/31/2017 , Page 7 of 14

top of page one, however, was Miller's. Miller could not specifically recall the details of the editing process, but believed when he met with Trump for breakfast, Trump had already made the edits to the letter [REDACTED]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

The situation with Comey was kept close hold [REDACTED] b5 Per DOJ/OIP

[REDACTED] Trump was editing the letter [REDACTED]  
Miller did not discuss the letter or the decision to fire Comey [REDACTED]

b5 Per DOJ/OIP

Continuation of FD-302 of (U) Interview of Stephen Miller . On 10/31/2017 . Page 8 of 14

b5 Per DOJ/OIP

Trump continued to edit the letter [REDACTED] Trump repeated h b5 Per DOJ/OIP  
did not want the news to leak, [REDACTED]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Specific Content in the Termination Letter(s):

Trump was explicit the letter should open with a reference to Trump not being under investigation. Trump wanted to disqualify the possibility Comey was being removed because Trump was under investigation, as it was important for him to establish he was not removing the FBI Director while under investigation.

The draft of the letter stated the investigation is "fabricated" [REDACTED] b5 Per DOJ/OIP

FBI(19cv1278)-1046

Continuation of FD-302 of (U) Interview of Stephen Miller , On 10/31/2017 , Page 9 of 14

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1047



Continuation of FD-302 of (U) Interview of Stephen Miller, On 10/31/2017, Page 10 of 14

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] It was  
important to Trump that he factually establish Comey was under a "review  
period." [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

Meetings on Monday, May 8, 2017:

[REDACTED] b5 Per DOJ/OIP

FBI(19cv1278)-1048

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Continuation of FD-302 of (U) Interview of Stephen Miller , On 10/31/2017 , Page 11 of 14

b5 Per DOJ/OIP

The 9:00 am meeting was attended by Trump, Miller, Priebus, McGahn, and one or two others. Trump started the meeting and said, "I'm going to read you a letter. Don't talk me out of this. I've made my decision." Trump then proceeded to read the letter.

b5 Per DOJ/OIP

McGahn pointed out DOJ had an internal review of Comey review under way complementary to what they were discussing. McGahn suggested the next step would be for McGahn to meet with DOJ to discuss.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Stephen Miller . On 10/31/2017 . Page 12 of 14

Tuesday, May 9, 2017:

[REDACTED] b5 Per DOJ/OIP

[REDACTED] Rosenstein's letter became the new foundation of a cover letter from Trump. Miller was provided Rosenstein's letter so he could draft an appropriate cover letter. In discussing the letter on Tuesday, the only guidance specifically given to Miller was that he include the part about Trump being told three times he was not under investigation. McGahn

[REDACTED] recommended striking it, but Trump was insistent it be included. [REDACTED]

[REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

FBI(19cv1278)-1050

FD-302a (Rev. 05-08-10)

Continuation of FD-302 of (U) Interview of Stephen Miller, On 10/31/2017, Page 13 of 14

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1051

FD-302a (Rev. 05-08-10)

[Redacted]

b7E

[Redacted]

Continuation of FD-302 of (U) Interview of Stephen Miller . On 10/31/2017 . Page 14 of 14

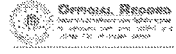
FBI(19cv1278)-1052

b7E

FD-302 (Rev. 5-8-10)

- 1 of 19 -

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/17/2018

Robert Roger Porter was interviewed at the Special Counsel's Office, located at Patriots Plaza I, 395 E Street SW, Washington, DC. Porter was accompanied by his attorneys [redacted] and [redacted] from the law offices of Cozen O'Connor. Present for the interview were Special Agent (SA) [redacted] SA [redacted] Senior Counselor to the Special Counsel James L. Quarles, Counselor to the Special Counsel Michael Dreeben, Senior Assistant Special Counselor Andrew Goldstein, and Intelligence Analyst [redacted]. After being advised of the identity of the interviewing agents and the nature of the interview, Porter provided the following information:

b6  
b7Cb6  
b7C

b5 Per DOJ/OIP

b3  
b7E

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Investigation on 04/13/2018 at Washington, District Of Columbia, United States (In Person)File # [redacted] Date drafted 04/29/2018by [redacted]b6  
b7C  
b7E

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FBI(19cv1278)-1086

Continuation of FD-302 of (U) Interview of Robert Porter, On 04/13/2018, Page 2 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

FBI(19cv1278)-1087

Continuation of FD-302 of (U) Interview of Robert Porter , On 04/13/2018 , Page 3 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1088



Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 4 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 5 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Attorney General Jeff Sessions "Un-recusal"

b3

The President raised the concept of "un-recusing" at a meeting with Sessions on December 6, 2017.

b5 Per DOJ/OIP

FBI(19cv1278)-1090

Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 6 of 19

b5 Per DOJ/OIP

Earlier that day, Porter attended a Cabinet meeting and when it ended the President told him to go get Sessions and take him to the Oval Office. The President indicated he wanted Porter to stay for the meeting.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1091

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Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 7 of 19

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

Attorney General Jeff Sessions Proffered Resignation

FBI(19cv1278)-1092

Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 8 of 19

b5 Per DOJ/OIP

At some point in the summer of 2017, Porter was in the Oval Office to discuss an unrelated issue and the President opened a drawer and pulled out a resignation letter from Sessions.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1093

Continuation of FD-302 of (U) Interview of Robert Porter , On 04/13/2018 , Page 9 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b3

FBI(19cv1278)-1094

Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 10 of 19

[REDACTED] b5 Per DOJ/OIP  
b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
b3

[REDACTED] b5 Per DOJ/OIP  
b3

Discussions about Associate Attorney General Rachel Brand

[REDACTED] b5 Per DOJ/OIP  
b3

FBI(19cv1278)-1095

b7E

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Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 11 of 19

b5 Per DOJ/OIP

b3

[REDACTED]

[REDACTED] the President asked Porter if he knew Brand and what he thought of her. [REDACTED]

[REDACTED] The President asked if Brand was good, tough, and "on the team." [REDACTED]

[REDACTED]

[REDACTED] The President asked Porter to "feel her out" and see if she would be interested in being the Attorney General. [REDACTED]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Porter did not fulfill the President's request and talk to Brand. The President asked a couple of times in passing whether Porter talked to Brand, but Porter never did. Porter said, [REDACTED]

b5 Per DOJ/OIP

[REDACTED] it did not feel right to have that discussion. [REDACTED]

He did not want to be implicated in any way in the conversation. [REDACTED]

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 12 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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FD-302a (Rev. 05-08-10)

Continuation of FD-302 of (U) Interview of Robert Porter, On 04/13/2018, Page 13 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1098

Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 14 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

At least once in that conversation, the President used the phrase "clean house" with regard to the Department of Justice.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 15 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1100

Continuation of FD-302 of (U) Interview of Robert Porter, On 04/13/2018, Page 16 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

January 2018 New York Times Article and President Trump/s Response

Porter was asked about a New York Times article from January 25, 2018 titled "Trump Ordered Mueller Fired, but Backed Off When White House Counsel Threatened to Quit."

b5 Per DOJ/OIP

FBI(19cv1278)-1101

Continuation of FD-302 of (U) Interview of Robert Porter . On 04/13/2018 . Page 17 of 19

[REDACTED] b5 Per DOJ/OIP

[REDACTED] The President said to Porter that the article was "bullshit" and that he had never ordered the Special Counsel fired. [REDACTED]

[REDACTED] and that he leaked to the media to make himself look good. The President told Porter to tell McGahn to write a letter to make clear he (McGahn) had never been directed to fire the Special Counsel. Porter thought the White House communications shop should handle press response, rather than a letter from McGahn, but the President wanted a letter to the file. The President referred to McGahn as a "lying bastard" and said he wanted a record from him. [REDACTED]

[REDACTED] but the President said something to the effect of, "if he doesn't write a letter, then maybe I'll have to get rid of him." [REDACTED]

[REDACTED]

[REDACTED]

b3

b5 Per DOJ/OIP

Porter did not recall the timing of his discussion with the President about McGahn. [REDACTED]

b5 Per DOJ/OIP

Porter spoke to McGahn the same day the President asked him to do so.

[REDACTED] Port, b5 Per DOJ/OIP thought McGahn's general response to the President was to shrug off everything; [REDACTED]

McGahn pushed back on the fact that the President said he (the President) did not ask McGahn to fire the Special Counsel. McGahn's response, when Porter told him to write the letter, was something to the effect of "Well, it is true." McGahn told Porter the President was insistent on firing the Special Counsel, but added that he himself never told the President he intended to quit. Porter told McGahn that the President suggested he would

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Continuation of FD-302 of (U) Interview of Robert Porter, On 04/13/2018, Page 18 of 19

fire McGahn if he did not write the letter and McGahn said the optics of that would be terrible. [REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] it never came b5 Per DOJ/OIP  
with the President again. Porter told Kelly about it, [REDACTED]

[REDACTED] b5 Per DOJ/OIP  
b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

b3

FBI(19cv1278)-1103

b7E

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Continuation of FD-302 of (U) Interview of Robert Porter , On 04/13/2018 , Page 19 of 19

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

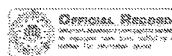
FBI(19cv1278)-1104



- 1 of 8 -

## FEDERAL BUREAU OF INVESTIGATION

b7E



Date of entry 11/20/2016

Chris Ruddy was interviewed at 395 E Street SW, Washington, D.C., the Special Counsel's Office in the company of his attorney, [REDACTED] from the law firm Satterlee Stephens LLP, 230 Park Avenue, New York, New York. Participating in the interview were FBI Special Agent [REDACTED] [REDACTED] Senior Counselor to the Special Counsel James L. Quarles III, and Senior Assistant Special Counsel Andrew Goldstein. Ruddy was advised it is a crime to lie to the FBI in the course of an investigation and he acknowledged he understood. After being advised of the identity of the interviewing agent and the purpose of the interview, Ruddy provided the following information:

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Investigation on 06/06/2013 at Washington, District Of Columbia, United States (In Person)

File #

Date drafted 06/24/2018

b7E

by

b6  
b7C

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FBI(19cv1278)-1105

Continuation of FD-302 of (U) Interview of Chris Ruddy . On 06/06/2018 . Page 2 of 8

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

b5 Per DOJ/OIP

FBI(19cv1278)-1106

Continuation of FD-302 of (U) Interview of Chris Ruddy . On 06/06/2018 . Page 3 of 8

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP  
b6  
b7A  
b7B per DOJ/OIP  
b7C

FBI(19cv1278)-1107

Continuation of FD-302 of (U) Interview of Chris Ruddy . On 06/06/2018 . Page 4 of 8

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1108

Continuation of FD-302 of (U) Interview of Chris Ruddy . On 06/06/2018 , Page 5 of 8

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

June 12, 2017 FBS interview:

b5 Per DOJ/OIP

The day of the PBS interview, Ruddy had a meeting scheduled at the White House with Bannon

b5 Per DOJ/OIP

Ruddy, Bannon,

net,

b6  
b7C

Priebus

joined at some point

In the meeting, Priebus and Bannon told Ruddy that Trump was strongly considering firing Mueller

b5 Per DOJ/OIP

Continuation of FD-302 of (U) Interview of Chris Ruddy . On 06/06/2018 . Page 6 of 8

[REDACTED] b5 Per DOJ/OIP

[REDACTED] feared Trump would fired Mueller one day and not tell anyone about it.

b5 Per DOJ/OIP

[REDACTED] Ruddy asked Priebus if he could talk about the discussion about Mueller, and Priebus said yes. Priebus indicated to Ruddy [REDACTED] the Comey firing was precipitous and he hoped another blow up did not happen. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

Ruddy heard from friends in the media that Trump [REDACTED] b5 Per DOJ/OIP  
were upset about Ruddy's statements. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] told Ruddy that Trump was upset with him [REDACTED]

FBI(19cv1278)-1110

Continuation of FD-302 of (U) Interview of Chris Ruddy . On 06/06/2018 , Page 7 of 8

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

FBI(19cv1278)-1111

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b7E

[Redacted]

[Redacted]

Continuation of FD-302 of (U) Interview of Chris Ruddy . On 06/06/2018 . Page 8 of 8

b5 Per DOJ/OIP

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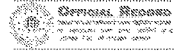


b7E

FD-302 (Rev. 5-8-10)

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/31/2018

Robert Roger Porter was interviewed at the Special Counsel's Office, located at Patriots Plaza I, 395 E Street SW, Washington, DC. Porter was accompanied by his attorneys [redacted] and [redacted] from the law offices of Cozen O'Connor. Present for the interview were Special Agent (SA) [redacted] Senior Counselor to the Special Counsel James L. Quarles, Senior Assistant Special Counselor Andrew Goldstein, and Intelligence Analyst [redacted] Porter was notified [redacted]

b6  
b7C  
b7E

[redacted] admonished that it is a crime to lie to the FBI in the course of an investigation, which he acknowledged. After being advised of the identity of the interviewing agents and the nature of the interview, Porter provided the following information:

[redacted]

b5 Per DOJ/OIP

[redacted]

b5 Per DOJ/OIP

b6  
b7C

[redacted]

b5 Per DOJ/OIP

b6  
b7C

Investigation on 05/08/2018 at Washington, District Of Columbia, United States (In Person)

File # [redacted] Date drafted 05/15/2018

by [redacted]

b6  
b7C  
b7E

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FBI(19cv1278)-1113

[Redacted]

b7E

[Redacted]

Continuation of FD-302 of (U) Interview of Robert Porter , On 05/08/2018 , Page 2 of 20

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

FBI(19cv1278)-1114

Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 3 of 20

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b3

FBI(19cv1278)-1115

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FBI(19cv1278)-1116

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Continuation of FD-302 of (U) Interview of Robert Porter , On 05/08/2018 , Page 5 of 20

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1117

Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 6 of 20

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b3

Rachel Brand:

[REDACTED] b5 Per DOJ/OIP

The President wanted to know if Porter knew Rachel Brand and what Porter thought of her. [REDACTED] b5 Per DOJ/OIP

[REDACTED] the President wanted to know if Porter knew Brand, what he thought of her, and if he thought she was interested in being responsible for the investigation. One time, [REDACTED] the President wondered aloud if Brand wanted to be the Attorney General one day. The President did not say it explicitly, but Porter gathered from his comments that since Sessions was recused, and it was possible Rosenstein would be recused, and Brand would be next in line, the President wanted to know what people thought of her.

[REDACTED] b5 Per DOJ/OIP

FBI(19cv1278)-1118

Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 7 of 20

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP  
 [Redacted] b3  
 [Redacted]

[Redacted] b5 Per DOJ/OIP  
 [Redacted] b6  
 [Redacted] b7C

Continuation of FD-302 of (U) Interview of Robert Porter, On 05/08/2018, Page 8 of 20

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1120



FD-302a (Rev. 05-08-10)

Continuation of FD-302 of (U) Interview of Robert Porter , On 05/08/2018 , Page 9 of 20

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1121

Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 10 of 20

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] DOJ was not investigating the things the President thought they should be investigating. The President said to Sessions that he did not "have to tell us, just take a look," which Porter took to mean that the President was being deferential to DOJ but wanted them to look and see if the things he wanted to investigate merited investigation. [REDACTED]

[REDACTED] Porter did not recall Sessions' response to the comments, but he did not think Sessions offered any assurances or promises. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b3

Continuation of FD-302 of (U) Interview of Robert Porter , On 05/08/2018 , Page 11 of 20

## Discussions of other investigations:

[REDACTED] b5 Per DOJ/OIP

[REDACTED] The President said he never liked Manafort, and [REDACTED]  
[REDACTED] Manafort did not know what he was  
doing either. [REDACTED]  
[REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] He recalled the general sentiment that the President wondered  
what was going on and in what way [REDACTED] Manafort were cooperating.

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

b3

FBI(19cv1278)-1123

Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 12 of 20

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3  
[REDACTED]

[REDACTED] b3  
[REDACTED] b5 Per DOJ/OIP

Continuation of FD-302 of (U) Interview of Robert Porter , On 05/08/2018 , Page 13 of 20

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3

Continuation of FD-302 of (U) Interview of Robert Porter , On 05/08/2018 , Page 14 of 20

[Redacted] b5 Per DOJ/OIP  
[Redacted] b3

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP  
[Redacted] b3

[Redacted] b5 Per DOJ/OIP  
[Redacted] b3

Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 15 of 20

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b3  
[REDACTED] b5 Per DOJ/OIP

[REDACTED]

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] The President b6  
talked about the great attorneys he had had in the past, such as Roy Cohn b7C  
and Jay Goldberg. The President said they both had great records and were  
very successful. He said one of his biggest failings as President was that  
he had not surrounded himself with good attorneys.

The President mentioned [REDACTED] Sessions in the discussion of [REDACTED] b5 Per DOJ/OIP  
current attorneys. [REDACTED]

[REDACTED] The President raised  
Sessions' recusal. [REDACTED]

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3

Continuation of FD-302 of (U) Interview of Robert Porter , On 05/08/2018 , Page 16 of 20

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

Discussions with McGahn regarding New York Times article:

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 18 of 20

[REDACTED] b5 Per DOJ/OIP

The President wanted [REDACTED] McGahn to write a letter of clarification. [REDACTED] b5 Per DOJ/OIP

[REDACTED] The President said he wanted it "for our records" and wanted something beyond a press statement to demonstrate that the reporting was inaccurate. [REDACTED]

[REDACTED]

[REDACTED] b5 Per DOJ/OIP

b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

b3

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b3

b5 Per DOJ/OIP

b3

FBI(19cv1278)-1131

[Redacted]

[Redacted]

Continuation of FD-302 of (U) Interview of Robert Porter . On 05/08/2018 . Page 20 of 20

[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP  
[Redacted] b3  
[Redacted]

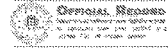
[Redacted] b5 Per DOJ/OIP

[Redacted] b5 Per DOJ/OIP  
[Redacted] b6  
[Redacted] b7C

[Redacted] b5 Per DOJ/OIP  
[Redacted] b3

CLASSIFIED BY: NSICG [REDACTED]  
 REASON: 1.4 (C,D)  
 DECLASSIFY ON: 12-31-2042  
 DATE: 10-07-2019

- 1 of 19 -



b6  
b7C  
b7E

FEDERAL BUREAU OF INVESTIGATION

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Date of entry 03/05/2018

Kathleen Troia "K.T." McFarland was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, D.C. McFarland was accompanied by her attorneys, [REDACTED] and [REDACTED] of Sullivan & Cromwell LLP. Participating in the interview were FBI Special Agent (SA) [REDACTED] SA [REDACTED] Senior Counselor to the Special Counsel James L. Quarles III, Senior Assistant Special Counsel (SASC) Andrew Goldstein, and SASC Brandon Van Grack. Pursuant to the execution of a proffer agreement, McFarland provided the following information:

b6  
b7C

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED EXCEPT  
 WHERE SHOWN OTHERWISE

b5 Per DOJ/OIP

[REDACTED]

b5 Per DOJ/OIP

[REDACTED]

b5 Per DOJ/OIP

[REDACTED]

Investigation on 12/22/2017 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 12/29/2017

by [REDACTED]

b7A  
b6  
b7C  
b7E

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 2 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Transition period:

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland , On 12/22/2017 , Page 3 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Mar-a-Lago Trip:

b5 Per DOJ/OIP

b6  
b7CDecember 28, 2016

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 4 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

On December 28, 2016, Flynn and McFarland spoke on the telephone b5 Per DOJ/OIP

December 29, 2016

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 5 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

McFarland learned about the sanctions on the news that afternoon.

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

McFarland and Bannon met on December 29.

b5 Per DOJ/OIP

but they also talked about  
sanctions. Bannon told  
McFarland the sanctions would hurt their ability to have good relations

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 6 of 19

with Russia. [REDACTED] b5 Per DOJ/OIP

[REDACTED] Bannon thought a Russian escalation would make things more difficult. McFarland thought she told him Flynn was scheduled to talk to the Russian ambassador later that night. [REDACTED]

McFarland stated that she may have run into Priebus and given him a short version of her conversation with Bannon about the sanctions. [REDACTED] b5 Per DOJ/OIP

[REDACTED] She may have told Priebus that Flynn was scheduled to talk to the Russian ambassador that night, but was not sure. [REDACTED]

b6  
b7C

b5 Per DOJ/OIP

McFarland and Flynn spoke on the telephone at around 4:00 pm on December 29. [REDACTED] b5 Per DOJ/OIP

b5 Per DOJ/OIP

[REDACTED] She noted that it was implicit in their discussion that no one wanted things to escalate. [REDACTED]

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 7 of 19

[REDACTED] b5 Per DOJ/OIP

McFarland knew before the Flynn's call that Flynn was going to feel out the Russian ambassador on the overall relationship, knowing that the sanctions would influence it. [REDACTED]

b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

Trump, [REDACTED] Priebus, Bannon, Spicer, [REDACTED] and maybe one or two others attended. [REDACTED]

[REDACTED] At some point, Trump asked her if the "Russians did it" and she said yes. [REDACTED] Trump repeated he was not sure [REDACTED] He said he had reason to doubt it was the Russians [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] She went through the [REDACTED] possible responses [REDACTED] and said they would have to see what happened. She told Trump the response would be an indicator of what the Russians wanted going forward. Trump said [REDACTED] since Trump had leverage to use with the Russians. [REDACTED]

[REDACTED] She thought someone may have mentioned Flynn's scheduled call with Kislyak as they were ending the meeting and leaving the room. [REDACTED] she [REDACTED] did not recall a response from Trump before he walked out of the room.

McFarland and Flynn had a telephone call the evening of December 29, which followed the call between Flynn and Kislyak after the sanctions

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland , On 12/22/2017 , Page 8 of 19

b5 Per DOJ/OIP

Flynn told McFarland he talked to the Russian ambassador

b5 Per DOJ/OIP

He told McFarland the Russian response was not going to be escalatory because they wanted a good relationship with the Trump administration.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 9 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland , On 12/22/2017 , Page 10 of 19

b5 Per DOJ/OIP

December 31, 2016

Flynn and McFarland spoke on the phone

b5 Per DOJ/OIP

Flynn told her Putin's response was an indication they wanted a better relationship with the United States. He may have said his telephone call with Kislyak may have made a difference. Flynn conveyed things were back on track.

b5 Per DOJ/OIP

When Flynn and McFarland spoke on December 31, Flynn told McFarland he talked to the Russian ambassador again. He said something to the effect of "Well, they want a better relationship. The relationship is back on track." Flynn said it was a good call and he thought his own call had made a difference but not the only difference.

b5 Per DOJ/OIP

McFarland congratulated Flynn for his work.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 11 of 19

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(S) b1  
b3

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(S) b1  
b3~~SECRET~~

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~~SECRET~~

Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 12 of 19

b5 Per DOJ/OIP

(S)  
b1  
b3

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(S)

b1  
b3

b5 Per DOJ/OIP

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~~SECRET~~

Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland , On 12/22/2017 , Page 13 of 19

	b5 Per DOJ/OIP
	{S}
	b1
	b3
	b6

b7C

	b5 Per DOJ/OIP
--	----------------

{S}		b5 Per DOJ/OIP
		{S}
		b1
		b3
		b6

b7C

	b5 Per DOJ/OIP
	b6
	b7C

	b5 Per DOJ/OIP
	{S}
	b1
	b3
	b6

b7C

~~SECRET~~

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland , On 12/22/2017 , Page 14 of 19

b5 Per DOJ/OIP

b6  
b7CPost-Inauguration:

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b1  
b3

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~~SECRET~~

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(S)

b5 Per DOJ/OIP

(S) b1  
b3  
b7E

b5 Per DOJ/OIP

(S) b1  
b3  
b7E

b5 Per DOJ/OIP

(S) b1  
b3  
b7E

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

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~~SECRET~~

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

On  
Wednesday, February 22, 2017, McFarland was called to Priebus' office, and  
when she got there, Bannon was also there. He told her Trump  
wanted her to resign.

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Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 17 of 19

[REDACTED] b5 Per DOJ/OIP

[REDACTED] Priebus asked if she wanted to be an ambassador, [REDACTED]

[REDACTED] Bannon suggested Singapore, [REDACTED]

[REDACTED]

b6  
b7C

[REDACTED] Priebus called McFarland back to his office and said b5 Per DOJ/OIP words to the effect of "The President would like you to send me an email saying [REDACTED] could she say the President never directed Flynn to call the Russians about sanctions."

[REDACTED]

McFarland did not say yes or no to this request. She called Eisenberg and told him she had been fired from her job as Deputy NSA and offered the job in Singapore, but they wanted this letter from her. b5 Per DOJ/OIP

[REDACTED] However, he offered his opinion it was a bad idea for her to write the letter because it was awkward and looked like a quid pro quo situation. [REDACTED]

[REDACTED] Priebus [REDACTED]

[REDACTED] he came to her office and told her not to do the email and to forget he even mentioned it.

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b6  
b7C

[REDACTED] b5 Per DOJ/OIP

[REDACTED]

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~~SECRET~~

~~SECRET~~

Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland , On 12/22/2017 , Page 18 of 19

b5 Per DOJ/OIP

March - May 2017

b5 Per DOJ/OIP

She talked to Trump

One time was in late March

or early April.

He asked her to pass a

message to Flynn to stay strong; and that Trump  
felt bad for him.

b5 Per DOJ/OIP

Other Campaign/Administration contacts:

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7A  
b7B per DOJ/OIP  
b7C

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~~SECRET~~

~~SECRET~~Continuation of FD-302 of (U) Interview of Kathleen Troia McFarland . On 12/22/2017 . Page 19 of 19b5 Per DOJ/OIPb6  
b7A  
b7B per DOJ/OIP  
b7CMcFarland reviewed an email from Paul Manafort dated January 15, 2017 at 1:  
12:21 pm

b5 Per DOJ/OIP

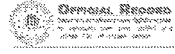
b5 Per DOJ/OIP~~SECRET~~

b7E

FD-302 (Rev. 5-8-10)

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## FEDERAL BUREAU OF INVESTIGATION



Date of entry 11/09/2018

(U) On 09/12/2018 Special Agents (SA) [redacted] Intelligence Analyst [redacted] Assistant Special Counsel L. Rush Atkinson and Senior Assistant Special Counsel Andrew Goldstein interviewed MICHAEL COHEN (COHEN) at his attorney's offices at 655 3rd Ave, New York, NY. Present were COHEN's legal counsel, Guy Petrillo, Amy Lester, and Philip Pilmar. Additionally, Assistant United States Attorney Thomas McKay and SA [redacted] from SDNY and FBI NY attended. In the presence of his attorney, COHEN reviewed and executed two proffer agreements, one from the Special Counsel's Office, attached, and one from SDNY, which was retained by SDNY. After being advised of the identities of the interviewing SAs and the purpose of the interview, COHEN provided the following:

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U) TRUMP TOWER MOSCOW

b5 Per DOJ/OIP

b6  
b7C

Investigation on 09/12/2018 at Washington, District Of Columbia, United States (In Person)

File # [redacted] Date drafted 09/13/2018

b6  
b7C

by [redacted]

b7E

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Continuation of FD-302 of (U) Interview of Michael Cohen . On 09/12/2018 . Page 2 of 16

b5 Per DOJ/OIP

(U) COHEN had conversations with TRUMP on multiple occasions related to TTM and traveling to Russia.

b5 Per DOJ/OIP

b5 Per DOJ/OIP  
in

b5 Per DOJ/OIP

COHEN received an email from a young lady requesting a call to discuss the TTM project. COHEN called and spoke to a woman named ELENA or YELENA (ELENA),

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[REDACTED] ELENA said she would put together notes and pass them along [REDACTED] b5 Per DOJ/OIP

[REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] The financial benefit was enormous. The signed LOI [REDACTED]  
[REDACTED]  
[REDACTED] The TRUMP  
ORG was in a position to make hundreds of millions of dollars [REDACTED]  
[REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] TRUMP

thought his campaign would be "the greatest infomercial" ever created in

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history. The brand would get out and opportunities would come [REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] They thought about how much the campaign could bring in with the "infomercial" [REDACTED]

[REDACTED]

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

[REDACTED] COHEN had multiple brief mini-conversations with TRUMP about TTM. [REDACTED]

[REDACTED]

[REDACTED] TRUMP would ask what was going on with TTM. [REDACTED]

[REDACTED]

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

[REDACTED] There were dozens of mini-conversations with TRUMP as well as conversations with DONALD TRUMP JUNIOR (JUNIOR) and IVANKA TRUMP (IVANKA) about TTM.

(U) COHEN spoke to JUNIOR about TTM [REDACTED] b5 Per DOJ/OIP

[REDACTED]

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Continuation of FD-302 of (U) Interview of Michael Cohen . On 09/12/2018 . Page 5 of 16

[REDACTED] b5 Per DOJ/OIP

(U) IVANKA wanted to get a "starchitect" on board with the project. [REDACTED] b5 Per DOJ/OIP

b6  
b7C

(U) JUNIOR brought up his previous experience with a TRUMP TOWER MOSCOW deal [REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] COHEN thought his phone call with ELENA had an effect. [REDACTED] about PUTIN. The Russian government liked the project. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] COHEN recalled he spoke to TRUMP b5 Per DOJ/OIP about dates for travel to Moscow and he spoke to RHONA GRAFF (GRAFF) about getting a copy of TRUMP's passport. GRAFF later brought TRUMP's passport to COHEN's office.

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

COHEN was still  
advising TRUMP he was speaking with SATER.

(U) As TRUMP's campaign started to do well in the end of January 2016, COHEN and TRUMP continued to speak about TTM. COHEN kept TRUMP informed that the project was still in the sphere. TRUMP did not say to not do the project because of the campaign.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Both COHEN and TRUMP wanted TTM to succeed.

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Michael Cohen . On 09/12/2018 . Page 7 of 16

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] COHEN had still not seen piece of land for the property or information on the land for the property. COHEN did not want to travel to Moscow for no reason, he needed to see the property.

(U) COHEN told TRUMP about the invitation to the St. Petersburg Economic Forum and that PUTIN and/or MEDVEDEV may be there. [REDACTED] b5 Per DOJ/OIP

[REDACTED] TRUMP told COHEN to talk to COREY LEWANDOWSKI (LEWANDOWSKI) about potential dates for travel assuming COHEN could "lock and load" on the deal. TRUMP would be willing to travel if COHEN was ready to lock and load [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] COHEN went to LEWANDOWSKI for dates, but COHEN would have had to go back to LEWANDOWSKI after the RNC.

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

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b5 Per DOJ/OIP

(U) COHEN did not go to the St. Petersburg Economic Forum because he never got the invite. b5 Per DOJ/OIP

(U) COHEN had a quick conversation with TRUMP. COHEN did not want to tell TRUMP the project was over. If COHEN later came back with the project again, TRUMP would complain the project was on-again-off-again.

b5 Per DOJ/OIP  
b6  
b7C  
b5 Per DOJ/OIP

The "agenda" was to minimize the Russia relationship; to shut it down; TTM never took place, so what was the difference in saying when it ended [in January]; minimize, minimize, minimize; stay on point; and discredit the investigation by staying on point.

b5 Per DOJ/OIP

COHEN wanted to support the WHITE HOUSE and TRUMP.

the statement to Congress b5 Per DOJ/OIP  
it

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was sent to all members of the JDA. [REDACTED] b5 Per DOJ/OIP

(U) COHEN stuck to the "party line," [REDACTED] b5 Per DOJ/OIP  
[REDACTED] there was no relationship to Russia; [REDACTED]

[REDACTED] COHEN and TRUMP spoke about the staying on "message" [REDACTED]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

[REDACTED] COHEN was not  
concerned [REDACTED] knew COHEN made an inaccurate  
statement because he kept to the party line [REDACTED]

b5 Per DOJ/OIP

(U) The hope was the party line would put an end to the Mueller  
Investigation. [REDACTED] b5 Per DOJ/OIP

b5 Per DOJ/OIP

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[redacted] It was important to say the deal was done in January 2016 because [redacted] b5 Per DOJ/OIP shortened the period of time for any relationship with Russia. [redacted]

[redacted] b5 Per DOJ/OIP  
[redacted] COHEN did brief TRUMP, JUNIOR, and IVANKA along the way. COHEN briefed JUNIOR in May or June as well. [redacted] TTM was not idle chit-chat, it was a potential \$1 Billion deal. [redacted]

[redacted] b5 Per DOJ/OIP

[redacted] b5 Per DOJ/OIP  
[redacted] COHEN's legal fees were initially being paid by TRUMP ORG. All fees were paid by the TRUMP ORG, which was extremely important to COHEN.

[redacted] b5 Per DOJ/OIP

[redacted] COHEN needed the power of the President to take care of him. He would defend TRUMP to stay on message.

[redacted] b5 Per DOJ/OIP

[redacted] b5 Per DOJ/OIP

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(U) Post-Search Outreach

(U) After the FBI searches of COHEN, individuals reached out to COHEN to provide support. [REDACTED] [REDACTED] After the search, he saw COHEN and told him [REDACTED] the boss loves you,

[REDACTED] From these messages, COHEN understood he had support of the WHITE HOUSE to watch his back if he toed the line. [REDACTED]

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[REDACTED] said he was with "the Boss" in Mar-A-Lago and TRUMP said "he loves you," and not to worry. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] "everyone knows the boss has your back." [REDACTED] COHEN was to stay on message and be part of the team [REDACTED]

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[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ b6 P

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[REDACTED] b5 Per DOJ/OIP

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[REDACTED] b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

(U) RTSKHILADZE wanted to do a TTM project as well, but it did not move forward because TRUMP ORG already had the LOI in place with SATER.

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b5 Per DOJ/OIP

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(U) After the initial text messages with RTSKHILADZE, COHEN spoke to TRUMP, [REDACTED]

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

When JUNIOR said he had a meeting to get some dirt on CLINTON, to COHEN, it did not sound like the first time TRUMP heard about it.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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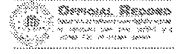
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## FEDERAL BUREAU OF INVESTIGATION



Date of entry 11/28/2018

Michael Dean Cohen, date of birth [REDACTED] was interviewed in the Special Counsel's Office, located at 395 E Street SE, Washington, D.C. in the presence of his attorneys Guy Petrillo and Amy Lester from the law offices of Petrillo Klein & Boxer LLP, 655 Third Avenue, New York, NY. Participating in the interview were FBI Special Agent (SA) [REDACTED] SA [REDACTED] Intelligence Analyst (IA) [REDACTED] Senior Counselor to the Special Counsel James L. Quarles, Senior Assistant Special Counsel (SASC) Jeannie S. Rhee, SASC Andrew D. Goldstein, and Assistant Special Counsel (ASC) L. Rush Atkinson. Also in attendance were Counselor to the Special Counsel Michael Dreeben and ASC Elizabeth Prelogar. Pursuant to signing a proffer agreement and after being advised of the identity of the interviewing agents, Cohen provided the following information:

b6  
b7CResponse to Congressional Inquiry

Cohen spoke to Jay Sekulow almost immediately after he received a letter from the House [of Representatives] requesting testimony. Sean Hannity recommended Sekulow and gave his name and phone number to Cohen. Since the request was for voluntary testimony, Sekulow told Cohen to say "thanks, but no thanks." Sekulow ultimately decided to represent President Donald Trump instead of Cohen, and provided Cohen a list of lawyers that were not either conflicted or who had not already said they would not represent people associated with the White House. Cohen retained [REDACTED] about two weeks later.

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Cohen made an appointment for himself and Sekulow to meet with Trump at the White House to talk about the request from the House of Representatives. Cohen did not recall the exact date he and Sekulow met with Trump, but remembered he spent the night at the Trump Hotel in Washington, D.C. the night prior, and thought he would have records of the stay. After being told there were records of a meeting at the White House on May 18, 2017, Cohen thought that might have been the date of the meeting.

Investigation on 11/12/2018 at Washington, District Of Columbia, United States (In Person)  
File # [REDACTED] Date drafted 11/13/2018  
by [REDACTED]

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The intent of the meeting was to get direction from Trump and talk about what Cohen should do. At that time, Cohen did not have his trumporg email account and everything was being funneled through Alan Garten. Cohen told Trump that he had initially responded that he would not participate in a voluntary interview, and Trump asked why Cohen responded that way and questioned why he would not cooperate. Cohen told Trump it was a request, not a subpoena. Cohen took a copy of his letter with him and Trump read it and told Cohen to just cooperate. Cohen thought the request had been for documents related to a whole slew of issues, and he did not have them or have access to his documents. Leaving the meeting, Cohen understood the direction from Trump was to cooperate.

The Trump Tower Moscow project did not come up in that first meeting with Trump and Sekulow. Cohen did not recall when he understood the request from Congress was not just about the dossier, but also may include Trump Tower Moscow. Cohen thought it took over three months to get the joint defense agreement (JDA) created. [ ] gave document requests to Garten and Alan Futerfas, and they were going to provide the relevant documents. [ ] eventually received emails and attachments from Cohen's [ ] account, for a series of specified terms. Cohen thought the emails came in closer in time to when the letter to Congress was written.

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In drafting the letter to Congress about the dossier, Cohen first spoke to his counsel, but thought there were a lot of communications with a lot of people about the letter. The goal was to put the letter out through the media and get ahead of the story. Cohen said it was the same model used by Jared Kushner.

In drafting the letter to Congress about the Trump Tower Moscow project, Cohen first spoke to [ ] and another attorney at the law firm, James Commons. Cohen spoke to Trump on the telephone about the letter, but did not recall telling him specific details, just that he planned to put a letter out in response. Cohen and Sekulow, who was representing Trump, spoke all of the time. Sekulow was a conduit for Trump. He would tell Cohen that he had just talked to Trump, things were going to be okay, things were under control, and reassured Cohen of Trump's warm feelings toward him.

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Cohen did not recall specifically raising with Sekulow that the information in the letter about Trump Tower Moscow was false. He did recall that Sekulow said to limit the information, to keep on message, things were going to be fine, they were all in this together, and to stay on course. Cohen's impression was that Sekulow was embracing him, because Cohen knew Sekulow was speaking to [ ] about the letter as well. Cohen understood from his conversations with Sekulow that he should keep the

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statements short and tight. The message was that the deal did not happen, Trump had nothing to do with it, and there was nothing to see there. Cohen talked to Sekulow "all the time" and they talked a lot about the investigation.

Cohen said a lot of the information in the letter came from the documents provided by Trump Org. Cohen and Sekulow did not have a conversation about the disconnect between the facts and the content of the letter. Their discussion was more about staying on message, not on specifics. Sekulow told Cohen to keep it short and that that the investigation was not going anywhere. Cohen did not tell Sekulow specifically that there were more than just three meetings about Trump Tower Moscow between himself and Trump, but did tell Sekulow that there was more to the story. Sekulow told Cohen to keep the letter tight and the extra detail was not needed. Cohen understood the letter was passed around to people in the drafting phase.

Cohen told [ ] while the letter was being drafted that he had received a call back from Peskov's office and did not restrict [ ] ability to share that information in the JDA. Cohen believed Sekulow knew everything [ ] knew. Sekulow and [ ] were running the show at that time. Sekulow was also dealing with Futerfas and Garten, who knew a lot.

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When Cohen and [ ] received the documents from Trump Org, they sat down together and went through them. Cohen was not sure if the documents showed that Foliakova had called Cohen back after he reached out. Cohen recalled having a conversation with [ ] in which he told [ ] that he got a call back from a woman after he reached out to the Kremlin and was told that if there was more interest on their end, Peskov or someone would call him back. Cohen told [ ] that no one ever called him back after that call. They ultimately decided to leave that part out of it. Cohen thought he discussed the call as if Foliakova was a low level employee.

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Cohen did not tell [ ] he was uncomfortable with the letter. Cohen was just part of the team. He answered the questions in a concise matter and stayed on message.

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Cohen thought [ ] drafted the first version of the letter to Congress about Trump Tower Moscow, based off of notes Cohen provided to him. Cohen's notes were generated from his memory, and he had nothing to refresh his recollection when he wrote the notes. [ ] wrote a letter of his own and incorporated some of Cohen's stuff.

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Cohen reviewed the August 28, 2017 letter to Congress, in particular the statement "do not recall any response to my email." Cohen said that line made it into the letter, even though he had received a call back, because he did not recall who the woman was, and there was no follow up after that

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call. Cohen did not recall whether he spoke to [ ] about that specific line. Cohen tried to keep everything short and simple and it was ultimately decided that part was not relevant for the purpose of the letter.

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[Agent note: Cohen stated he would like the opportunity to review additional documents in the possession of his attorney before further discussions about the August 28, 2017 letter.]

Cohen reviewed a document Bates stamped MDC-H-000690, an email dated 1/14/2016 to email address info@prpress.gov.ru, with subject line Trump Tower-Moscow. After the call back from Poliakova in Peskov's office, Cohen told Felix Sater about the call. Cohen relayed that he had a lengthy call with Peskov's office and that the woman he spoke to had a lot of questions and that they were in tune with the project. Up to that point, Cohen had questioned Sater's integrity. Cohen did not mention Sater to Poliakova, but did mention IC Expert. Sater used the call back from Poliakova as a way to continue the conversation and keep the project alive.

Cohen reviewed a document Bates stamped FS00011, which showed text messages between himself and Sater. Text message #56, from Sater to Cohen, dated 1/21/2016 said "It's about Putin they called today." Cohen did not know who "they" was in the text message. Sater may have gotten a call from someone, but Cohen did not know from who.

Cohen did not recall telling anyone in Trump Org specifically about the call with Poliakova. The only person Cohen would have told was Trump. He thought he would have said it just was not going anywhere yet, and Trump said to keep him posted. Cohen recalled he told Trump that he spoke to someone administrative who asked a ton of questions and was very professional. Cohen remembered he said he wished they had someone that good working for them. Trump and Cohen had a short conversation, and Cohen did not relay the sum and substance of the call with Poliakova.

#### UNGA 2015

Cohen recalled that in 2015, the news reported that [former President Barack] Obama refused to meet with [Russian President Vladimir] Putin at UNGA [United Nations General Assembly]. Trump said it was stupid of Obama to say that. (Trump had said many times he thought he would get along with Putin.) After Trump's comment, Cohen told him that if Trump wanted, Cohen could reach out to Putin's office and try to arrange a meeting between the two of them. Cohen suggested it would be funny for the two men to meet at Trump Tower and have a burger. Trump agreed it was a good idea, and would be funny, and to go ahead and reach out.

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After that conversation, Cohen went on Hannity's show and said publicly that Trump may meet with Putin. After Cohen went on Hannity's show, Trump asked a handful of times for updates.

Cohen did a google search for a phone number and called it from his office, but he was not sure if he used his office phone or his cell phone. Cohen called the Kremlin and spoke to a woman about the idea of Putin and Trump meeting. The woman that answered said she would speak to a supervisor and get back to him. She mentioned the name Sergei Ivanov and said he should reach out to Ambassador Kislyak. Cohen asked for the woman's email address and sent his contact information to her by sending her an email with his signature block. Cohen recalled her email address had .ru at the end, but was not sure if it was gov.ru.

When he did not hear back after that first call, Cohen reached out again, using the same number, and spoke to the same woman. He thought the second call was two or three days before Putin was supposed to arrive for UNGA. The woman told him it would not follow protocol for Putin to meet with Trump, and Cohen relayed that message to Trump.

Cohen was shown documents reflecting telephone calls from his cell phone number, \_\_\_\_\_ to the telephone numbers and dates of connection listed below. Cohen was also provided an opportunity to review his telephone contacts for the numbers.

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9/28/2015: \_\_\_\_\_

11/17/2015: \_\_\_\_\_

1/6/2016: \_\_\_\_\_

6/9/2017: \_\_\_\_\_

After reviewing his telephone directory, Cohen stated none of the numbers were in his contacts and he did not know who the calls were to.

Cohen affirmed that it was false when he previously said he never discussed the idea of the Putin lunch with Trump.

#### Miss Universe 2013

Cohen, Trump, and \_\_\_\_\_ were all members of the Miss Universe Pageant Board that decided on the location of the Miss Universe Pageant in Moscow in 2013. There were also three people on the board from NBC, plus

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\_\_\_\_\_ would have served as a tie breaker if necessary, but the decision was unanimous to set the pageant in Moscow.

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Cohen was not aware of any interest on the part of Trump to meet with Russian government officials during the pageant. Cohen was not aware of outreach to various government officials. Cohen was under the impression Putin would attend the pageant. Cohen had that impression because the pageant was happening in Putin's "backyard" and also because he had a conversation with Trump in which Trump wondered aloud if Putin was going to show up. Cohen recalled Putin sent Trump a nice letter, but Cohen had never seen it. He had heard general mentions of the letter in conversations in Trump's office.

Trump was unhappy with the ratings the Miss Universe pageant got that year. Because of the time zone difference, the winner was announced in the United States before people woke up, and no one wanted to watch the pageant on TV.

Cohen did not attend the Miss Universe 2013 pageant.

#### Relationship with Felix Sater

Cohen met Sater when he was around fifteen years old. It was not true that they grew up together, but accurate to say they went to the same clubs with the same groups of girls. Cohen grew up in Long Island, not Brooklyn. Cohen and Sater were re-acquainted at the backyard barbecue of a mutual friend. When Sater was involved in Trump SoHo, Cohen saw more of him around, but Cohen was not himself in the Trump Org at that time. Prior to the Trump Tower Moscow project, Cohen and Sater had not worked together on a real estate deal that got all the way to signing an LOI.

The Trump Tower Moscow project was Sater's project, not Cohen's project. Sater needed Cohen to advance the project. Sater had done two other projects with Trump Org before Trump Tower Moscow - Trump SoHo and a property in Fort Lauderdale. Trump SoHo was a success, but while the property in Fort Lauderdale was built, it was not Trump branded.

Sater had a way of getting deals done. He was a sort of conduit between developers, land owners, and realtors. If Trump Tower Moscow worked out, there would be a huge pay day for both Sater and Cohen, but Sater was concerned he would get pushed out because he had bad blood with Garten, Trump, Ivanka Trump, and Donald Trump, Jr. Sater needed Cohen's help to navigate.

[REDACTED]

(U) Interview of Michael Cohen

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Cohen told Sater repeatedly they needed a piece of property to build on before they could go forward. Trump and the Trump children all wanted to know about it. None of the Trump children was assigned to the project because there was not a full deal in place.

Cohen said Trump Tower Moscow would be a multi-year project that he would spearhead. Cohen was hopeful it would work out, but not optimistic. Sater had said he had high level connections in Russia, but Cohen had no other evidence of it. Sater threw out the names of Putin's people, like Ivanov, just to keep you interested. Sater told Cohen that he was the one that arranged for Ivanka Trump to sit in Putin's chair in the Kremlin.

Cohen was not aware of whether or not Sater and Sergei Millian had a relationship.

Sergei Millian

Cohen reviewed a document that listed a series of LinkedIn messages from Sergei Millian to Cohen. Cohen did not recall ever seeing the messages. Cohen added Millian told him in 2016 that he was involved with the Russian American Chamber of Commerce. Other than their communications in 2016, Cohen recalled no other communications.

Cohen did not recall the messages from Millian in 2016 in which Millian stated he wanted to be on the foreign policy advisor team. Cohen did recall Millian mentioned in one of their initial phone conversations a desire to be on the team, and Cohen told Millian to call the campaign.

Cohen thought some of the things Millian said did not make sense. Cohen asked Millian who he was and why he spoke on behalf of Trump. Cohen told Millian to stop speaking on behalf of Trump. Millian said he worked at Trump Fort Lauderdale, but [REDACTED] told Cohen that Millian never worked there.

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Cohen did not recall ever responding to messages on LinkedIn. He has 11,000 contacts on LinkedIn. Cohen assumed, but did not know for sure, that Millian emailed him because the LinkedIn messages did not work. Cohen finally told Millian to stop contacting him and to stop using Trump's name.

Cohen's email address is quite available to the public.

[REDACTED]

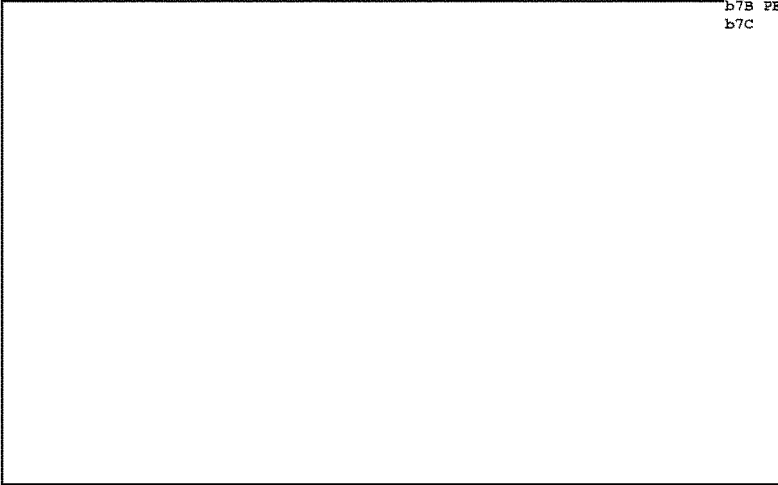
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Cohen met \_\_\_\_\_ a month before the Inauguration, around December. \_\_\_\_\_ was having dinner with \_\_\_\_\_ who is from \_\_\_\_\_ and is also friends with Cohen. \_\_\_\_\_ introduced Cohen and \_\_\_\_\_. Cohen recalled there were no significant discussions when he met \_\_\_\_\_ and it was just an introduction.

Cohen and \_\_\_\_\_ met a few times after. The two discussed \_\_\_\_\_ attending the Inauguration, for which \_\_\_\_\_ bought two tickets. Cohen and \_\_\_\_\_ talked about doing some business together post-Inauguration, which was fueled by \_\_\_\_\_ since he made the introduction. \_\_\_\_\_ Columbus [Nova], had invested in some of \_\_\_\_\_

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The pitch was to assist in Columbus Nova's infrastructure fund. \_\_\_\_\_ invests in several different areas. At the time, there were discussions of significant foreign investment interest dedicated to U.S. infrastructure. Trump ran around the world claiming he received assurances of \$250 Billion investment from places like Saudi Arabia and China. The infrastructure fund's purpose was to capitalize off of some of that investment. Infrastructure development requires two things, concrete and

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steel rebar. Cohen recalled the infrastructure fund with [ ] would buy or create a rebar manufacturer. Cohen knew there were two things you could not build without concrete and rebar: airports and roads. Most of the rebar in the U.S. is brought in from China. Cohen thought [ ] fund had a good track record, so it made sense to assist in bringing it foreign investment.

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In Cohen's discussions with [ ] Cohen did not provide any non-public information. Cohen was not selling non-public information. Cohen could assist [ ] because Cohen understood Trump and what Trump was looking for.

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#### Essential Consultants

Cohen's work as Essential Consultants was in a consultant and advisory role specific to whatever the company he was working with needed. In the run up to the 2016 election, Cohen estimated one thousand people were hired in Washington, D.C., all of whom had relationships with Hillary Clinton. After Clinton lost the election, those one thousand people were out of jobs because none understood Trump. Cohen was outside the administration, he knew Trump, and he had made television appearances related to his relationship with Trump, so Cohen was a perfect fit to assist companies. Cohen worked with five or six companies.

#### Novartis

Cohen gave the example of Novartis, a pharmaceutical company. Cohen knew at the time that Trump wanted to create jobs. Cohen researched on his own, and saw that there was no U.S.-based manufacturing of antibiotics. So, Cohen recommended to Novartis to build a manufacturing plant in the U.S. Cohen also knew from his work with the RNC where the "purple" states were. Cohen recommended Novartis build an antibiotic manufacturing plant in a purple state. This would please Trump, making Novartis look like a hero to Trump. This idea was all based on Cohen's knowledge of Trump and the U.S. map in terms of red/blue/purple states.

Trump hates the fact that pharmaceuticals cost so much. Cohen told [ ] that if there was not a drastic reduction in pricing, then he was wasting his time. Trump's agenda was all about reducing the price on drugs, not increasing.

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Cohen did receive talking points, "talkers," about drug pricing from Novartis that he was supposed to take to Trump. However Cohen did not recall the topic coming up in conversation with the President.



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Cohen had insight into Trump nobody else had, other than maybe Trump's adult children. Cohen did not tell Trump what he was doing as a consultant, because it did not come up. Cohen also thought Trump did not care what Cohen was doing. Cohen may have told people at the Trump Org that he was working as an advisor for some companies.

Trump is an anomaly. Cohen said a company could make more money spending one minute with a person who knows Trump than spending 365 days with an expert in the field. Cohen understood Trump.

Cohen did not tell Trump he was selling advice on how Trump thinks. Cohen was consulting or advising. Cohen did not have a lot of contact with folks at the Trump Org because he was busy trying to set up his own shop. It is possible Cohen mentioned his selling advice to Trump Jr. at a dinner.

Cohen was not selling contacts or introductions. Cohen did have contacts on the inside, like [redacted] and Kellyanne Conway, whom Cohen brought into the campaign. Cohen also knew [redacted] A couple of years ago, [redacted] had outreach to OPIC [Overseas Private Investment Corporation]. Cohen asked [redacted] if they had received [redacted] request. Cohen was looking to have [redacted] request moved to the top of the pile, not for a rubber stamp.

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Cohen did not know what Trump knew, so he did not know if Trump knew the nature of Cohen's consulting shop, but Cohen did not discuss it with Trump. Conversations with Trump's adult children did not indicate to Cohen that Trump knew what Essential Consultants was about.

#### Yamo

Cohen recalled [redacted] was investing in a company called Yamo, which was a pharmaceutical company that had a promising experimental autism drug going into Stage II with the FDA. [redacted] was looking for investors and to build relationships around the company. Cohen put [redacted] in touch with [redacted] Cohen and [redacted] sit on a board together, so Cohen put [redacted] in touch with him as well.

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#### KAI

Cohen recalled KAI, Korean Aerospace Industries, was attempting to develop a footprint in the Middle East. "The Middle East" had already bought Raptor training planes years before Trump was elected. Also, Cohen had represented [redacted] Cohen put [redacted] KAI in touch with [redacted] for a deal on parts distribution for KAI.

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Cohen stated that this entire deal had nothing to do with the United States.

#### FrutaPOP

Cohen recalled the deal with FrutaPOP, which was created by a friend of Cohen's from college. The company makes ice pops infused with less than 5% alcohol. Cohen does not drink alcohol, but recalled that [redacted] "chewed them up." Cohen had a relationship with [redacted] so Cohen knew how valuable these pops could be for the casino and hotel business. They would be easy to store and distribute quickly, unlike regular cocktails. Cohen had a buddy named [redacted] (NFI) who could make a machine to mass produce the pops. At the time FrutaPOP was making the ice pops in small batches, which was inefficient. Cohen wanted [redacted] investment to help purchase the machinery.

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#### Lobbying

Cohen did not recall any indication that someone specifically directed these business opportunities to Cohen. Cohen was not lobbying and was not working government relations. Cohen wrote into his contracts that he specifically would not lobby.

Before the inauguration, Cohen told Trump he would not lobby. When the two sat down to discuss Cohen's title as Trump's personal attorney, Cohen said he was not going to lobby and not going to do government relations. Cohen recalled that Trump asked everyone that when they left the campaign, transition, or administration, to not become a lobbyist. Trump made Cohen sign papers that said he would not lobby for three or five years after leaving Trump Org. Cohen told Trump he would not lobby as a response to Trump asking Cohen not to do so.

There was a company that produces artificial turf that wanted Cohen to lobby. China produces turf at a fraction of the cost of production in the U.S. This group wanted Cohen to use his access to lobby, but Cohen said no. This is why Cohen had a relationship with Squire Patton Boggs; it allowed Cohen to refer groups like this to the company for lobbying. In this instance, Cohen put them in touch with [redacted]

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Cohen was not concerned about Trump finding out about what Cohen was doing as Essential Consultants, even though there is a lot of overlap between consulting and lobbying. Cohen was not taking the needs of these companies to Washington, D.C. or to the head of the FDA. Cohen would tell them where to open a new factory, so it was helpful to the RNC and would make Trump happy.

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Cohen became aware that [redacted] was [redacted] after he met [redacted] but before they started working together. Cohen met [redacted] before the Inauguration. Prior to this, Cohen only knew [redacted] by name. Cohen knew [redacted] Cohen stated that [redacted] but Cohen did not know anything specific about [redacted]

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Cohen was shown an email from January 10, 2017 with the subject line "About us / Russian Union of Industrialists and Entrepreneurs." Cohen said the email did not jog a memory of the conversation with [redacted]

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Cohen recalled that [redacted] requested to meet Trump, but he did not remember whether they met or not. [redacted]

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b7C

Cohen does not recall if Trump was available. It was common for people to want to stop in and meet Trump.

Cohen recalled discussing [redacted] purchasing two tickets for the Inauguration and that one ticket was for himself and he intended to bring [redacted] used to work for [redacted] was originally a significant investor in [redacted] company. [redacted] has stepped away from [redacted] company over the years creating his own fund with other investors outside of [redacted]

b6  
b7C

[redacted] wanted Cohen to join Essential Consultants to use his contacts to help raise capital. [redacted] outreach to Cohen was on his own and not connected to [redacted] did not need Cohen to raise capital from [redacted]

b6  
b7C

Cohen had no contact with [redacted] separate and apart from his work with [redacted] Cohen went to [redacted] office once with [redacted] Cohen recalled discussing a deal of [redacted] involving [redacted]

b6  
b7C

(U) Interview of Michael Cohen

Continuation of FD-302 of (11.12.2018) , On 11/12/2018 , Page 13 of 15

[redacted]  
[redacted] Cohen knew [redacted]  
[redacted] from BTA Bank through [redacted] did not ask Cohen  
for anything, Cohen just happened to mention he knew [redacted] and said he  
was a good guy.

b6  
b7C

Cohen did not know how that topic came up, they talked about a dozen other  
things too. [redacted] and Cohen may have talked about [redacted] when  
[redacted] asked Cohen to meet [redacted]

b6  
b7C

Cohen met [redacted] after the inauguration, around March 2017 when he  
showed up at [redacted] home. Cohen did not know [redacted] would be there.  
[redacted] was trying to [redacted] but Cohen did  
not think that deal went further.

b6  
b7C

Cohen was in Kazakhstan working on a Trump Tower project with Giorgi  
Ritzkilhadze. While there, Cohen met [redacted]  
[redacted] Cohen gave [redacted] his business card and after  
reading it [redacted] stormed out of the room. A few minutes later, [redacted]  
[redacted] returned and asked Cohen if he was related to Sacha Baron Cohen --  
[redacted] was really angry. [AGENT NOTE: Sacha Baron Cohen played the  
character Borat, who is supposed to be from Kazakhstan]

b6  
b7C

After the election, Cohen had no meetings or contemplation of securing  
Russian Investment money with [redacted] or [redacted] Cohen was not  
approached for Russian Investment.

b6  
b7CAnthony Scaramucci

Anthony Scaramucci wanted help with raising capital, and his name  
recognition was similar to Cohen's at the time. [redacted] and [redacted]  
[redacted] all wanted a piece of the infrastructure funds. Cohen was a natural  
fit.

b6  
b7C

Cohen's discussions with Scaramucci occurred after the inauguration. Cohen  
was friends with Scaramucci from before; Cohen brought Scaramucci onto the  
Trump Campaign. Trump beat up Scaramucci on the campaign. Lots of  
Scaramucci's investors were from when Scaramucci was supporting Jeb Bush.  
[redacted] (ph) had a relationship to Trump Jr., so they could  
not go to Scaramucci, so they went to Cohen instead.

b6  
b7C

There was no actual capital raising with Scaramucci that Cohen could  
recall.

b6  
b7C

(U) Interview of Michael Cohen

Continuation of FD-302 of (11.12.2018) . On 11/12/2018 . Page 14 of 15

Cohen met [redacted] at an RNC Event at the Trump International Hotel in Washington, DC. [redacted] brought [redacted] with her. This event was the first time Cohen had seen Trump in a while, and Trump singled Cohen out during his remarks. Cohen raised a ton of money for Trump. Trump said he missed Cohen -- it was a heartfelt shout-out. Trump's comments made [redacted] approach Cohen and bring [redacted] with her. She introduced the individuals as [redacted] Cohen stayed in touch with [redacted] for an "easy check," for easy fundraising.

b6  
b7C

Cohen had a preexisting relationship with [redacted] from years before. Cohen was on the Board of Columbia Grammar and Preparatory School.

b6  
b7C

[redacted] The school always had a gap between the money brought in through fundraising and the amount needed for their 117 scholarship students. Cohen approached [redacted] for fundraising for the school. During the campaign, multiple people, including Cohen, reached out to [redacted] for a donation for the RNC. Cohen has had no other contact with [redacted] other than for the school.

b6  
b7C

Cohen met [redacted] through Trump; [redacted] and [redacted] became close to Cohen and [redacted] Cohen met [redacted] many times in Trump's office. Trump tasked [redacted] with [redacted] Cohen introduced [redacted] to [redacted] who was an [redacted] Cohen "fundraised the heck" out of [redacted] Cohen did not have a business relationship with [redacted] they were friends.

#### Ukrainian Peace Plan

Cohen recalled no other Ukrainian "Peace Plans" during the transition or shortly after the inauguration, other than the one previously discussed involving [redacted] and Felix Sater. Cohen was not contacted by anyone through [redacted] is a U.S. Citizen [redacted]

b6  
b7C

#### MoneyGram

[redacted]

[redacted]

(U) Interview of Michael Cohen  
Continuation of FD-302 of (11.12.2018) . On 11/12/2018 . Page 15 of 15

Cohen attempted to send \$5000 through MoneyGram to Russia. [redacted]

b6  
b7C

[redacted]  
[redacted] Cohen's transfer was rejected the first time he tried, so he went to another MoneyGram location and was able to send the funds.

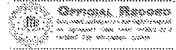
Misc

In a prior interview with the FBI, Cohen stated he witnessed something involving the Inauguration he wanted to discuss but there may be privilege issues preventing him from discussing it. [Cohen's attorney Guy Petrillo said he was unsure if they had worked through all privilege issues.] Cohen did not know this information from any source independent of the potential privileged source.

b6  
b7C

Cohen did not recall the name [redacted]

## FEDERAL BUREAU OF INVESTIGATION



Date of entry 03/19/2019

Michael D. Cohen was telephonically interviewed by representatives of the Special Counsel's Office. Cohen was joined by [redacted] Lanny Davis, and [redacted] members of his legal team. Present for the interview from the SCO were FBI Special Agent [redacted] FBI Intelligence Analyst [redacted] Senior Counselor to the Special Counsel James L. Quarles, Senior Assistant Special Counsel (SASC) Andrew Goldstein, SASC Jeannie Rhee, Counselor to the Special Counsel Michael Dreeben, and Assistant Special Counsel Elizabeth Prelogar. After being advised of the identity of the interviewing agent and the nature of the interview, Cohen provided the following information:

b6  
b7C

Cohen was reminded that he was required to be truthful and that providing deliberately false information could be a crime, which he acknowledged.

Trump Tower Moscow:

Cohen recalled two occasions during the campaign in which he raised traveling to Russia, once in December 2015 and again in spring 2016. In approximately mid-December 2015, Felix Sater asked Cohen for copies of Cohen's and (then candidate) Donald Trump's passports. Cohen asked Rhona Graff for Trump's passport, but did not get it. He sent Sater a copy of his own passport, however. Cohen was not 100% sure, but he thought he spoke to Corey Lewandowski about traveling to Russia in December. Cohen recalled that he also talked to Dave Bossie about scheduling, and Bossie indicated there were dates on the schedule that were available, but that things were filling up fast. Cohen believed he spoke to Lewandowski and Bossie about travel to Russia in December, rather than in the spring of 2016, because by spring 2016, there were not as many dates available for travel because the campaign had progressed. Cohen was not certain of the timing of his discussions with Lewandowski and Bossie.

Cohen did not recall speaking to anyone other than Trump about potential travel to Russia in the spring of 2016 for the St. Petersburg Economic Forum. He thought he probably talked to someone in the campaign about it, but did not have a specific recollection.

Investigation on 03/19/2019 at Washington, District Of Columbia, United States (In Person)

File # [redacted] Date dictated 03/19/2019

by [redacted]

b6  
b7C  
b7E

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FD-302a (Rev. 05-08-10)

(U) Interview of Michael Cohen  
(telephonic, 3.19.19)

Continuation of FD-302 of \_\_\_\_\_ . On 03/19/2019 . Page 2 of 5

In June or July 2016, in a brief conversation, Cohen told Trump that the Trump Tower Moscow project was going nowhere and he had gotten nothing to indicate that the development company had a piece of property on which to build. Trump told Cohen it was "too bad" and they essentially stopped talking about it after that. Cohen believed the Trump Tower Moscow project was not formally ended until December 2016, when he believed the Trump Organization terminated it and other "licensee opportunity" projects. Cohen thought Alan Garten sent out a form letter terminating the project, but he did not actually ever see it. Cohen never verified that the letter went out. Cohen did not talk to Trump about the termination of the Trump Tower Moscow project. Trump did not tell Cohen that he (Trump) decided to end the project or that Cohen should stop pursuing it.

Cohen noted that he found it "interesting" that prior to the point in time when they stopped talking about Trump Tower Moscow, Trump would publicly state that he had nothing to do with Russia and shortly after turn to Cohen to ask what was going on with Russia.

Cohen did not recall whether Sater had any involvement in drafting the statement about Trump Tower Moscow that Cohen submitted to Congress. He thought it would be odd that Sater would have been included on the email, rather than Sater's attorney, \_\_\_\_\_ Cohen did not recall speaking to Sater before his congressional testimony.

b6  
b7C

Statements Regarding Trump/Putin Meeting at UNGA:

Cohen made a conscious decision to keep Trump out of the narrative about his attempt to set up a meeting between Trump and Putin during the UN General Assembly. Cohen told Jay Sekulow the whole story about his attempt to set up a meeting between Putin and Trump, and Trump's role in it, and they talked about keeping Trump out of the narrative. When Cohen was drafting his statement to Congress regarding Trump Tower Moscow, Sekulow said the story was not relevant and not to include it. Cohen did not recall discussing with Sekulow what to say if the topic came up in his actual testimony.

Cohen did not recall his exact testimony to SSCI [Senate Select Committee on Intelligence] regarding the UN General Assembly meeting. [Agent note: Cohen's attorney reminded him that they had recently clarified to the committee the details of Cohen's attempts to schedule the meeting during the UN General Assembly, and had explained that Cohen and Trump had conversations about it, contrary to Cohen's initial congressional testimony.]

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FD-302a (Rev. 05-08-10)

(U) Interview of Michael Cohen  
(telephonic, 3.19.19)

Continuation of FD-302 of \_\_\_\_\_ . On 03/19/2019 . Page 3 of 5

Cohen knew he was supposed to stay on message and be a loyal soldier for Trump. It was ingrained in all of them to say that there were no deals, no money, no Russia, no collusion, it was a witch hunt. Cohen said "I know what the President is saying when he looks at you and says 'no Russia, no collusion, this is all going away, and it's a witch hunt.'"

Discussions with President Trump:

Cohen and Sekulow met with Trump in the White House on May 18, 2017, after Cohen had received an invitation from Congress to be interviewed. Cohen, acting on the advice of Sekulow, had told the committee that he declined their invitation but then later received a subpoena to appear. In their discussions that day, the President told Cohen to cooperate and that there was nothing there, there was no Russia, and no collusion. Pardons did not come up in that conversation.

At some point, Cohen and Sekulow discussed the concept of pre-pardons on a phone call. Cohen thought it was around the time Trump said he could put an end to the investigations and shut them all down. They discussed the idea of pre-pardoning, that is, to pardon everyone so that no one had to comply with anything. Cohen said that they learned that doing so would actually result in people having to cooperate with everything and that the blanket immunity provided by a pre-pardon meant people would not even have the right to take the Fifth.

Cohen did not directly ask Trump for a pardon. However, some time shortly after the point at which Cohen retained \_\_\_\_\_ as his attorney, Cohen and Sekulow discussed pardons. Cohen thought that around then, Trump was always "dangling" pardons and talking about (former National Security Advisor) Mike Flynn and (former Trump campaign manager) Paul Manafort. When Trump discussed pardons in public, Cohen asked \_\_\_\_\_ to contact Rudy Giuliani and Sekulow to ask what was going on with pardons, and the word back was that they were not talking about pardons for anyone at that time. Cohen took it as a "not now," not that it would never happen. Cohen did not recall Sekulow ever having told him he would not get a pardon. Cohen was left with the impression that Trump was going to take care of everyone and everything.

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After the raids on his home and office, Cohen reached out to Sekulow directly and the topic of pardons came up. Sekulow did not say it would not happen. Sekulow said to stay on message, there was no Russia, no collusion, it was a witch hunt, and everyone would be fine. Cohen thought

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(U) Interview of Michael Cohen  
Continuation of FD-302 of (telephonic, 3.19.19)

. On 03/19/2019 . Page 4 of 5

he would get a pardon or Trump would do "something else" that would make things okay for him. Cohen thought "something else" could have been something like shutting down the Special Counsel's Office.

Shortly after the raids at Cohen's home and office, Cohen and Trump spoke on the phone. Before his phones were taken away, Cohen asked for access to them and copied four telephone numbers. One of them was [REDACTED] who managed Trump's schedule. Cohen called to let her know about the searches so she could tell Trump and he would not have to see it on TV. Cohen gave [REDACTED] his wife's cell phone number. Cohen thought he bought a new cell phone the next day.

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Trump called Cohen a few days after the raids either on his cell phone, which he provided as [REDACTED] or on his wife's cell phone. Cohen had a new phone by then, so he could have received the call on his own phone. Trump told Cohen to "hang in there" and said the raids must have been rough and Cohen should "stay strong." Trump told Cohen that the whole thing was a witch hunt. They did not talk about pardons on that call. Cohen has never talked directly to Trump about pardons. Cohen added that he has talked to Trump when Trump was using another person's phone, such as Hope Hicks, Keith Schiller, and on at least one occasion, [REDACTED]

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Cohen did not discuss pardons with Trump or his legal team after his (Cohen's) interview with George Stephanopolous in July 2018. The only person Cohen talked to about pardons around then was Robert Costello. Costello never told Cohen that Cohen would not get a pardon. Costello mainly talked about his own importance and his relationship with Rudy Giuliani. Costello made it sound like it was always an option to get a pardon. Costello was very angry when Cohen hired Guy Petrillo as his attorney.

#### Trump Organization Role in Cohen's Legal Expenses:

Cohen said that when he first received document requests and subpoenas for things related to Trump Tower Moscow, it seemed to him that he was doing work in furtherance of the Trump Organization's interests, and believed that the Trump Organization should pay his legal fees.

After the raids at his home and office, four million documents were seized that required review. [REDACTED] law firm, McDermott Will & Emery, was the only one in the joint defense agreement (JDA) with the

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(U) Interview of Michael Cohen  
(telephonic, 3.19.19)

Continuation of FD-302 of \_\_\_\_\_ . On 03/19/2019 . Page 5 of 5

capacity to host all of the documents so they could be shared among the members of the JDA. Cohen thought that the deal was that [ ] law firm would house the documents and coordinate the sharing.

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About a month and a half to two months after the raids, [ ] told Cohen that he had not been paid and his firm was giving him a hard time about it. Cohen learned that the Trump Organization had paid some, but not all, of the bills they owed. The bills really started to pile up, between the privilege review, the Relativity system, and the personnel needed to work on everything.

b6  
b7C

[ ] thought the Trump Organization stiffed McDermott Will & Emery, and asked Cohen to help with Alan Garten and others in the JDA. Cohen contacted Garten, who said they would not leave him high and dry.

b6  
b7C

Cohen said that at some point while he was participating in the JDA, and a lot of people had access to the documents, a lot of his own personal information was leaked to the press.

**Administrative:**

The original notes will be maintained in the 1A section of the case file.

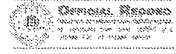
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FD-302 (Rev. 5-8-10)

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 07/23/2018

Sarah Huckabee Sanders was interviewed at the Special Counsel's Office, located at 395 E Street Southwest, Washington, D.C. Also present were her attorneys, [redacted] from Quinn Emanuel Urquhart & Sullivan. Participating in the interview were FBI Special Agent [redacted] [redacted] FBI Intelligence Analyst [redacted] Senior Counselor to the Special Counsel James L. Quarles III, and Senior Assistant Special Counsel Andrew D. Goldstein. After being advised of the identity of the interviewing agent and the purpose of the interview, Sanders provided the following information:

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b5 Per DOJ/OIP

[Redacted content]

b5 Per DOJ/OIP

[Redacted content]

Investigation on 07/03/2018 at Washington, District Of Columbia, United States (In Person)File # [redacted] Date dictated 07/05/2018by [redacted]b6  
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Continuation of FD-302 of (U) Interview of Sarah Huckabee Sanders . On 07/03/2018 . Page 2 of 10

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI Director James Comey termination:

b5 Per DOJ/OIP

b5 Per DOJ/OIP

the President expressed displeasure that his team was not out defending his decision in the media.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

Sanders described her comment [redacted] b5 Per DOJ/OIP  
about the rank-and-file of the FBI having lost confidence in Comey as  
something she said "in the heat of the moment" that was not really founded  
in anything. [redacted]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Sarah Huckabee Sanders . On 07/03/2018 . Page 4 of 10

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] she said "Look, we've heard from countless members of the FBI that say very different things." Sanders said that her use of the word "countless" was a slip of the tongue [REDACTED]

[REDACTED] b5 Per DOJ/OIP

[REDACTED] After the briefing, the President told her she had done a good job. [REDACTED] The President did not tell her she had gotten anything wrong after the press briefing that day.

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Sarah Huckabee Sanders, On 07/03/2018, Page 5 of 10

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Sarah Huckabee Sanders, On 07/03/2018, Page 6 of 10

b5 Per DOJ/OIP

b5 Per DOJ/OIP

June 2017 comments about terminating the Special Counsel:

b5 Per DOJ/OIP

she asked the President for a response directly before speaking to the press on Air Force One. The answer she gave the press is the answer the President gave her.

b5 Per DOJ/OIP

FD-302a (Rev. 05-08-10)

Continuation of FD-302 of (U) Interview of Sarah Huckabee Sanders , On 07/03/2018 , Page 7 of 10

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Sarah Huckabee Sanders . On 07/03/2018 . Page 8 of 10

b5 Per DOJ/OIP

b5 Per DOJ/OIP

June 9, 2016 Trump Tower meeting and July 2017 media coverage:

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b6  
b7C

Sanders was provided a copy of the transcript from her August 1, 2017 press briefing (not Bates stamped) in which she said, "the President weighed in, as any father would, based on the limited information he had" and "he certainly didn't dictate" the statement. She talked to the President immediately before the press briefing and distinctly remembered he said he "weighed in, as any father would."

b5 Per DOJ/OIP

Sanders said when she asked the President questions before doing a press briefing, he knew she intended to tell the press what he said.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Sarah Huckabee Sanders , On 07/03/2018 , Page 10 of 10

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b5 Per DOJ/OIP

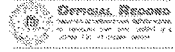
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b7B per DOJ/OIP  
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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/22/2018

## DOCUMENT RESTRICTED TO CASE PARTICIPANTS

This document contains information that is restricted to case participants.

Deputy Counsel to the President, Uttam Dhillon, was interviewed in FBI office space in Washington, D.C. He was accompanied by attorneys [redacted] & [redacted] of Quinn, Emanuel, Urquhart & Sullivan LLP, (202) 538-8000, [redacted] & [redacted]. Also present and participating were SSA [redacted] and SA [redacted]. Senior Counselor to the Special Counsel James L. Quarles; and Senior Assistant Special Counsel Andrew D. Goldstein. After being advised of the potential criminal consequences of lying to the FBI under 18 U.S.C 1001, Dhillon provided the following information:

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[redacted]

b5 Per DOJ/OIP

[redacted]

b5 Per DOJ/OIP

b6  
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[redacted]

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

He told them, "I know you told me not to, but I called Comey anyway." Dhillon and other WHCO attorneys had previously cautioned the President not to directly contact FBI Director James Comey.

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b7C

WHCO attorneys previously told the President it was unwise to contact the FBI Director directly because it could create a perception he was interfering with investigations.

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview, On 11/21/2017, Page 4 of 13

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b5 Per DOJ/OIP

[redacted] to conduct legal research on whether the  
President needed cause to fire the FBI Director. [redacted]

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b5 Per DOJ/OIP

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview . On 11/21/2017 . Page 6 of 13

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

[redacted] the President announced in an irreversible way that [redacted] b5 Per DOJ/OIP  
was firing Comey.

The President began to read a four page letter aloud, [redacted] b5 Per DOJ/OIP

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FBI(19cv1278)-1203

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview , On 11/21/2017 , Page 7 of 13

b5 Per DOJ/OIP

b5 Per DOJ/OIP

McGahn saying they should include Rosenstein and Sessions in the discussions.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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Sessions b5 Per DOJ/OIP

Rosenstein met with McGahn and Dhillon in McGahn's office after that first meeting in the Oval Office.

Sessions agreed. The basis of their concern was largely Comey's handling of the Clinton email investigation.

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview . On 11/21/2017 . Page 8 of 13

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UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview, On 11/21/2017, Page 9 of 13

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1206

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview . On 11/21/2017 . Page 10 of 13

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

McGahn tried to get the President to take out the part about the three times Comey told the President he was not under investigation, but it seemed to be the most important part of the letter to the President and he insisted on keeping it in.

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1207

FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview , On 11/21/2017 , Page 11 of 13

b5 Per DOJ/OIP

b5 Per DOJ/OIP

[redacted] Rosenstein was upset about the false characterization  
that the firing was his idea. [redacted]  
[redacted]

In a conversation with Dhillon and McGahn the President said the  
communications team could not get the story right, so he was going on  
Lester Holt to say what really happened. [redacted]

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1208



b7E

FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview . On 11/21/2017 . Page 12 of 13

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1209

FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Uttam Dhillon interview . On 11/21/2017 . Page 13 of 13

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

UNCLASSIFIED//~~FOUO~~

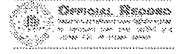
FBI(19cv1278)-1210

b7E

FD-302 (Rev. 5-8-10)

- 1 of 5 -

## FEDERAL BUREAU OF INVESTIGATION



Date of entry 03/14/2018

ROMAN BENIAMINOV, date of birth [redacted] place of birth [redacted]

[redacted] telephone [redacted] email [redacted] home address [redacted]

b6

[redacted] New Jersey, work address [redacted]

b7C

[redacted] New Jersey, was interviewed at the Special Counsel's Office, Washington, D.C. Also present were BENIAMINOV's attorneys, [redacted] Lee Anav Chung White Kim Ruger & Richter LLP, 99 Madison Avenue, 8th Floor, New York, New York, 10016, telephone 212-271-0664; Senior Assistant Special Counsel Jeannie Rhee; Assistant Special Counsel L. Rush Atkinson; Supervisory Intelligence Analyst [redacted] and Intelligence Analyst [redacted]. After being advised of the identity of the interviewing agent and the nature of the interview, BENIAMINOV voluntarily provided the following information:

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

Investigation on 01/06/2018 at Washington, District Of Columbia, United States (In Person)

File # [redacted] Date drafted 01/06/2018

by [redacted]

b6  
b7C  
b7E

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FBI(19cv1278)-1211

Continuation of FD-302 of (U) Interview of Roman Benjaminov . On 01/06/2018 . Page 2 of 5

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

FBI(19cv1278)-1212

Continuation of FD-302 of (U) Interview of Roman Benjaminov . On 01/06/2018 . Page 3 of 5

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

GOLDSTONE

primarily did "PR" work for EMIN in the United States.

b6  
b7C

b5 Per DOJ/OIP

BENIAMINOV was

asked about open source reporting indicating he had told KAVELADZE about dirt on HILLARY CLINTON. BENIAMINOV does not know where the open source information came from. He does not recall if he made these statements.

Continuation of FD-302 of (U) Interview of Roman Benjaminov . On 01/06/2018 . Page 4 of 5

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1214

FD-302a (Rev. 05-08-10)

b7E

Continuation of FD-302 of (U) Interview of Roman Benjaminov , On 01/06/2018 , Page 5 of 5

b5 Per DOJ/OIP

b6  
b7C  
b7D  
b7E

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1215

## FEDERAL BUREAU OF INVESTIGATION

b3  
b7EDate of entry 08/21/2018

(U) On 04/12/2018 and 04/13/2018 Special Agent (SA) [redacted] Intelligence Analyst [redacted] FBI Forensic Accountant [redacted] Senior Assistant Special Counsel Jeannie Rhee and Assistant Special Counsel (ASC) L. Rush Atkinson interviewed [redacted] at the Special Counsel's Office in Washington, DC. Also present were [redacted] legal counsel [redacted] and [redacted] ASC Atkinson was not present on 4/13/2018. [redacted] was admonished that the interview was voluntary and that lying to an FBI Special Agent during the conduct of an investigation has penalties under Federal statute. After being advised of the identity of the interviewing Agent and the nature of the interview, [redacted] provided the following information:

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7CInvestigation on 04/12/2018 at Washington, District Of Columbia, United States (In Person)File # [redacted] Date drafted 04/16/2018by [redacted]b3  
b6  
b7C  
b7E

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FBI(19cv1278)-1233



FD-302a (Rev. 05-08-10)

[Redacted]

b3  
b6  
b7C  
b7E

[Redacted]

Continuation of FD-302 of (U) Interview of [Redacted], On 04/12/2018, Page 2 of 31

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1234

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 3 of 31

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

FBI(19cv1278)-1235

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 4 of 31

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b4  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b4  
[REDACTED] b6  
[REDACTED] b7C  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b4  
[REDACTED] b6  
[REDACTED] b7C

FBI(19cv1278)-1236

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED] . On 04/12/2018 . Page 5 of 31

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1237

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 6 of 31

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FBI(19cv1278)-1238

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 7 of 31

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FBI(19cv1278)-1239

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED] . On 04/12/2018 . Page 8 of 31

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FBI(19cv1278)-1240

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED] . On 04/12/2018 . Page 9 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

FBI(19cv1278)-1241



FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 10 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1242

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7D

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 11 of 31

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1243

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 12 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1244

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED] . On 04/12/2018 . Page 13 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7A  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1245

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 14 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1246

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 15 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1247

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 16 of 31

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FBI(19cv1278)-1248

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 17 of 31

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b4  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b4  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b6  
[REDACTED] b7C

[REDACTED] b5 Per DOJ/OIP  
[REDACTED] b6  
[REDACTED] b7C

FBI(19cv1278)-1249



FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 18 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FBI(19cv1278)-1250

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 19 of 31

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FBI(19cv1278)-1251

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 20 of 31

b5 Per DOJ/OIP  
b4  
b6  
b7Cb5 Per DOJ/OIP  
b6  
b7Cb5 Per DOJ/OIP  
b4  
b6  
b7Cb5 Per DOJ/OIP  
b6  
b7Cb5 Per DOJ/OIP  
b6  
b7Cb5 Per DOJ/OIP  
b4  
b6  
b7C

FBI(19cv1278)-1252

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 21 of 31

b5 Per DOJ/OIP  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1253

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 22 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1254

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 23 of 31

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b3  
b6  
b7C

FBI(19cv1278)-1255

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 24 of 31

b5 Per DOJ/OIP

b3  
b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FD-1562 (Rev. 12-78)-1256

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 25 of 31

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b4  
b6  
b7C

FBI(19cv1278)-1257



FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 26 of 31

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b4  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b4  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b4  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

FBI(19cv1278)-1258

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 27 of 31

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1259

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 28 of 31

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1260

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 29 of 31

b5 Per DOJ/OIP  
b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1261

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED], On 04/12/2018, Page 30 of 31

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

[REDACTED] b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1262

FD-302a (Rev. 05-08-10)

b3  
b6  
b7C  
b7E

Continuation of FD-302 of (U) Interview of [REDACTED] . On 04/12/2018 . Page 31 of 31

b5 Per DOJ/OIP

b6  
b7C

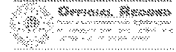
FBI(19cv1278)-1263

b7E

FD-302 (Rev. 5-8-10)

- 1 of 12 -

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 01/12/2018

IKE THOMAS KAVELADZE, aka IRAKLI KAVELADZE, date of birth [redacted]  
 [redacted] place of birth Republic of Georgia, home address [redacted]  
 [redacted] home telephone [redacted] cell  
 telephone [redacted] was interviewed at the Special Counsel's Office,  
 Washington, D.C. Also present were KAVELADZE's attorneys, [redacted] and  
 [redacted] Herbert Smith Freehills New York LLP, 450 Lexington  
 Avenue, New York, New York 10011, telephone 917-542-7600; Senior Assistant  
 Special Counsel Jeannie Rhee; Assistant Special Counsel L. Rush Atkinson;  
 Supervisory Intelligence Analyst [redacted] and Intelligence Analyst  
 [redacted] After being advised of the identity of the interviewing  
 agent and the nature of the interview, KAVELADZE provided the following  
 information:

b6  
b7C

KAVELADZE grew up in [redacted] Georgia [former Georgian SSR]

b5 Per DOJ/OIP

b6  
b7C

[redacted]

b5 Per DOJ/OIP

[redacted]  
 [redacted] KAVELADZEb6  
b7C

became U.S. citizen in [redacted]

b5 Per DOJ/OIP

b6  
b7C

[redacted]

Investigation on 11/16/2017 at Washington, District Of Columbia, United States (In Person)File # [redacted] Date drafted 11/16/2017by [redacted]b3  
b6  
b7C  
b7E

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Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze . On 11/16/2017 . Page 2 of 12

b5 Per DOJ/OIP

At CROCUS, KAVELADZE reports to ARAS AGALAROV (ARAS).

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b4

FBI(19cv1278)-1265



Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze , On 11/16/2017 , Page 3 of 12

b5 Per DOJ/OIP

b4

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1266

Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze , On 11/16/2017 , Page 4 of 12

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

b6  
b7C

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

[Redacted]

b5 Per DOJ/OIP

FBI(19cv1278)-1267

Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze, On 11/16/2017, Page 5 of 12

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b4

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b4

b5 Per DOJ/OIP

FBI(19cv1278)-1268

Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze , On 11/16/2017 , Page 6 of 12

[REDACTED] b5 Per DOJ/OIP  
b4

[REDACTED] b5 Per DOJ/OIP  
b4

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
b6  
b7C

[REDACTED] b5 Per DOJ/OIP

On June 6, 2016, ARAS called KAVELADZE and asked him to travel from California to New York to take part in a meeting with someone from the TRUMP ORGANIZATION. ARAS did not provide much information. During a second call on June 6, 2016, ARAS asked KAVELADZE if he knew anything about the Magnitsky Act. KAVELADZE was familiar with it and ARAS sent him a 3 - 4 page synopsis of the meeting topics and the business card of NATALIYA VESELNITSKAYA. ARAS said the purpose of the meeting was to discuss the Magnitsky Act. KAVELADZE was supposed to act as a translator for the

FBI(19cv1278)-1269

Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze . On 11/16/2017 . Page 7 of 12

meeting. [REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] they would be meeting with TRUMP, JR., JARED KUSHNER, and PAUL MANAFORT. KAVELADZE became puzzled. [REDACTED]

[REDACTED] After seeing the list of Trump people, KAVELADZE called ROMAN BENIAMINOV who advised that VESELNITSKAYA had negative information on HILLARY CLINTON and that was the purpose of the meeting.

[REDACTED] b5 Per DOJ/OIP

KAVELADZE arrived in New York [REDACTED] on June 9, 2016. b5 Per DOJ/OIP  
VESELNITSKAYA picked [REDACTED] for lunch before the meeting. KAVELADZE arrived first. VESELNITSKAYA and ANATOLI SAMOCHORNOV arrived [REDACTED]  
[REDACTED] KAVELADZE began to review the  
10 - 12 page synopsis provided by VESELNITSKAYA. [REDACTED]

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Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze . On 11/16/2017 . Page 8 of 12

b5 Per DOJ/OIP

The synopsis explained that BROWDER

b5 Per DOJ/OIP

KUSHNER appeared to be aggravated and stressed. He was really upset and said, "What are we doing here?" TRUMP, JR. then asked, "Is there anything you have on HILLARY?"

GOLDSTONE

approached TRUMP, JR. after the meeting and apologized.

b5 Per DOJ/OIP

b5 Per DOJ/OIP

ARAS had asked KAVELADZE to call him after the meeting. He called KAVELADZE before KAVELADZE could call him. KAVELADZE told ARAS the meeting went well because VESELNITSKAYA was next to him. Within two hours, KAVELADZE had a second call with ARAS and provided more details. KAVELADZE told ARAS the meeting was a complete waste of time. He told ARAS the meeting was not with lawyers and they were "preaching to the wrong crowd."

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Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze . On 11/16/2017 . Page 9 of 12

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1272

Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze, On 11/16/2017, Page 10 of 12

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

FBI(19cv1278)-1273



Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze . On 11/16/2017 . Page 11 of 12

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b6  
b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

FBI(19cv1278)-1274

Continuation of FD-302 of (U) Interview of Ike Thomas Kaveladze . On 11/16/2017 . Page 12 of 12

b5 Per DOJ/OIP

- 1 of 3 -

UNCLASSIFIED//~~FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 05/15/2018

THEODORE ROOSEVELT MALLOCH, [REDACTED]

The interview was surreptitiously recorded by the interviewing Agents. MALLOCH was advised of the voluntary nature of the interview and that the interview could end at any moment of his choosing. MALLOCH was further advised that lying to an FBI Agent was a federal offense. After being advised of the identity of the interviewing Agents and the nature of the interview, MALLOCH provided the following information. The below is a summary of the recorded statements made by MALLOCH:

b6  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7CUNCLASSIFIED//~~FOUO~~

Investigation on 03/27/2018 at Boston, Massachusetts, United States (In Person)

File # [REDACTED] Date dictated 04/18/2018

by [REDACTED]

b6  
b7A  
b7C  
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FBI(19cv1278)-1276

UNCLASSIFIED//~~FOUO~~

(U//~~FOUO~~) Interview of Theodore Malloch 03  
 Continuation of FD-302 of /27/2018 . On 03/27/2018 . Page 2 of 3

b6  
 b7A  
 b7B per DOJ/OIP  
 b7C

MALLOCH said he met CORSI  
 through CORSI's work at a publishing firm called WND [Note: WorldNetDaily  
 (WND) is an American news and opinion website and online news aggregator].

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 b7A  
 b7B per DOJ/OIP  
 b7C

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 b7A  
 b7B per DOJ/OIP  
 b7C

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FBI(19cv1278)-1277

FD-302a (Rev. 05-08-10)

b7A  
b7EUNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Theodore Malloch 03

Continuation of FD-302 of /27/2018 . On 03/27/2018 . Page 3 of 3

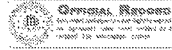
b6  
b7A  
b7B per DOJ/OIP  
b7C

MALLOCH provided his email address, [REDACTED] MALLOCH said  
he did not use any other email addresses [REDACTED]

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b7Cb6  
b7A  
b7B per DOJ/OIP  
b7CUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1278

## FEDERAL BUREAU OF INVESTIGATION

b7A  
b7E

Date of entry 01/16/2019

Theodore Roosevelt Malloch, [REDACTED]  
[REDACTED] was interviewed at the Special  
Counsel's Office, Patriots Plaza 1, 395 E Street SW, Washington, DC 20546.  
Malloch is a United States citizen who resides in the United Kingdom.  
Malloch's address in the United States is [REDACTED]  
[REDACTED] Present during the interview were Malloch's attorneys, [REDACTED]  
[REDACTED] and [REDACTED] Present from the Special  
Counsel's Office were Associate Special Counsel (ASC) Aaron Zelinsky, FBI  
Special Agent (SA) [REDACTED] FBI SA [REDACTED] and FBI  
Intelligence Analyst (IA) [REDACTED]

b6  
b7C

[REDACTED]

b6  
b7C

[REDACTED]  
[REDACTED] Corsi had been writing articles for WorldNetDaily (WND)  
[REDACTED]

b6  
b7C  
b6  
b7C

[REDACTED]

Investigation on 06/08/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 06/12/2018

by [REDACTED]

b6  
b7A  
b7C  
b7E

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b7A  
b7E(U) Interview of Theodore Roosevelt  
Malloch on 06/08/2018.

Continuation of FD-302 of \_\_\_\_\_, On 06/08/2018, Page 2 of 8

b6  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7C

FBI(19cv1278)-1280

b7A  
b7E

FD-302a (Rev. 05-08-10)

(U) Interview of Theodore Roosevelt

Continuation of FD-302 of Malloch on 06/08/2018. . On 06/08/2018 . Page 3 of 8b6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7C

FBI(19cv1278)-1281



FD-302a (Rev. 05-08-10)

(U) Interview of Theodore Roosevelt

Continuation of FD-302 of Malloch on 06/08/2018. . On 06/08/2018 . Page 4 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

that [redacted] Malloch never made any  
attempts to get in touch with Assange through Farage nor did [redacted]  
[redacted]

b6  
b7A  
b7B Per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7C

FBI(19cv1278)-1282

b7A  
b7E

FD-302a (Rev. 05-08-10)

(U) Interview of Theodore Roosevelt  
Malloch on 06/08/2018.

Continuation of FD-302 of . On 06/08/2018 . Page 5 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

The dinner was not the first time Malloch discussed WikiLeaks with Corsi. Malloch exchanged various emails and FaceTime calls with Corsi about the topic. Malloch assumed [REDACTED]

[REDACTED] Malloch did not have any direct communications [REDACTED] about Assange.

b6  
b7A  
b7B per DOJ/OIP

When asked if Corsi ever mentioned the name Podesta prior to the release of his emails, Malloch recalled speaking with Corsi about Podesta around that same time. Before they were released, Malloch had the impression, from his conversations with Corsi, [REDACTED] had a connection to Assange.

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b7A  
b7E

FD-302a (Rev. 05-08-10)

(U) Interview of Theodore Roosevelt

Continuation of FD-302 of Malloch on 06/08/2018. . On 06/08/2018 . Page 6 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

Malloch mainly communicated with Corsi, via FaceTime and emails. The two spoke about a variety of matters and Corsi would often boast about how they would soon be in the driver's seat. Malloch thought Corsi was very happy when the Podesta emails were released because he thought they contained a treasure trove of information.

b6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7A  
b7B per DOJ/OIP  
b7C

FBI(19cv1278)-1284

b7A  
b7E

FD-302a (Rev. 05-08-10)

(U) Interview of Theodore Roosevelt

Continuation of FD-302 of Malloch on 06/08/2018. . On 06/08/2018 . Page 7 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7Cb6  
b7Cb3  
b7E

FBI(19cv1278)-1285

FD-302a (Rev. 05-08-10)

b7A  
b7E

(U) Interview of Theodore Roosevelt  
Continuation of FD-302 of Malloch on 06/08/2018. . On 06/08/2018 . Page 8 of 8

b6  
b7A  
b7B per DOJ/OIP  
b7C

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b7E

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b7A  
b7B per DOJ/OIP  
b7C

b6  
b7C

FBI(19cv1278)-1286

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 11/07/2018b7A  
b7E

Paul J. Manafort, date of birth [REDACTED] was interviewed at the Office of the Special Counsel in Washington, D.C. The interviewers were FBI Special Agents [REDACTED] Assistant Special Counsels (ASC) Jeannie S. Rhee, Andrew Weissmann and Greg Andres; and Assistant United States Attorney [REDACTED] Present representing Manafort were attorneys Richard Westling, Thomas Zehnle and Kevin Downing and paralegal [REDACTED] FBI SA [REDACTED] advised Manafort of his rights. Manafort stated that he understood his rights and that he was willing to answer questions. Manafort signed a FD-395, Advise of Rights. ASC Weissmann reviewed the terms of a letter setting forth the agreement upon which Manafort made himself available for interview. Manafort, Downing and ASC Weissmann initialed the letter agreement. After being advised of the interviewers and the nature of the interview, Manafort provided the following information:

b6  
b7C

During 09/11/2018 and 09/12/18 interviews, Manafort did not recall meeting with Kilimnik in Madrid. Manafort did not review any documents in order to help him recall meeting with Kilimnik.

Manafort met Konstantin Kilimnik in Madrid in February 2017. In response to Manafort's request, Kilimnik had been putting together background on what was occurring in Kyiv. Reporters and investigators in Kyiv were asking questions about Manafort. Kilimnik came to Madrid to update Manafort on the work of the National Anti-Corruption Bureau, information from a ledger found with Manafort's name written in it and activities by Petro Poroshenko. They met for an hour and a half at Manafort's hotel. Kilimnik reported that the criminal investigation in Ukraine was going nowhere.

Manafort did not ask Kilimnik to Madrid in order to talk about the peace plan but Kilimnik would have raised it. Because of his legal problems, Manafort would not have approached the Trump Administration about the Ukraine. At this time, Manafort did not believe that Trump had a position on the Ukraine and Russia's involvement. Manafort, however, was concerned that Trump would not be strict enough on Russia regarding the Ukraine.

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Investigation on 09/13/2018 at Washington, District Of Columbia, United States (In Person)  
 File # [REDACTED] Date dictated 09/17/2018  
 by [REDACTED]

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b7A  
b7C  
b7E

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(U//~~FOUO~~) Interview of Paul Manafort  
Continuation of FD-302 of 09.13.2018 , On 09/13/2018 , Page 2 of 5

While Manafort chaired Trump's campaign, [REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

[REDACTED] Manafort told [REDACTED]

[REDACTED] In June, Manafort had  
Trump making policy speeches and meeting members of Congress. Manafort  
did not want Trump distracted by the titillation of a WikiLeaks's  
release. [REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

The Friday morning after the Republican Convention, Trump was supposed  
to give a press conference thanking the party and the people who worked to  
put on the convention. Trump instead attacked the party. Manafort had to  
deal with angry party members. The same day, WikiLeaks released more e-  
mails, including e-mails from [REDACTED] Manafort and  
Reince Preibus, from the Republican National Committee (RNC), agreed that  
the RNC would handle press on the [REDACTED] e-mails.

b6  
b7C

Trump and Manafort talked Friday afternoon. Trump and Manafort  
discussed how to use the [REDACTED] e-mails. Trump told Manafort  
to [REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

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FBI(19cv1278)-1296

b7A  
b7E

FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Paul Manafort

Continuation of FD-302 of 09.13.2018 , On 09/13/2018 , Page 3 of 5

b6  
b7A  
b7B per DOJ/OIP  
b7C

Manafort recalls Trump stating "Russia, if you're listening, I hope you're able to find the 30,000 emails that are missing." Manafort was surprised by the statement. Manafort and Trump had several conversations on Saturday, Sunday and Monday about the hacked e-mails. They never discussed that it was Russia. Manafort believes it was a spontaneous statement by Trump. Manafort does not know why Trump asked Russia as opposed to another country. In prior speeches, Trump had identified different countries as responsible - sometimes Russia, sometimes China and sometimes other countries. Over the weekend, Trump had probably talked to a lot of people about the hack and [redacted] e-mails. Trump would have been talking with his "kitchen cabinet." Manafort guesses that more people than not were identifying Russia so that stuck in Trump's head.

b6  
b7C

Robby Mook held a press conference at the end of the DNC's convention week where he talked about Trump and Russia working together. Before the press conference, Manafort does not recall any discussion of Russian collusion. Manafort viewed the statement as absurd and a sign that the Clinton campaign was desperate.

b6  
b7A  
b7B per DOJ/OIP  
b7C

[redacted] Manafort viewed the drops as a gift but one that they could not control. Manafort was concerned that the next drop could contain RNC information.

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b7A  
b7B per DOJ/OIP  
b7C

Around the time of the first debate between Trump and Clinton, [redacted]

[redacted] had supposedly released the story about Manafort's Ukraine work. On or about October 7, 2016, when the Podesta e-mails came out, Manafort [redacted] Manafort told [redacted]

[redacted] Manafort recalls that the Podesta e-mails came out on the same day as the Access Hollywood Tape but he cannot recall which came first. Trump acknowledged to Manafort that [redacted]

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FBI(19cv1278)-1297



UNCLASSIFIED//~~FOUO~~

(U//~~FOUO~~) Interview of Paul Manafort  
Continuation of FD-302 of 09.13.2018 . On 09/13/2018 . Page 4 of 5

Manafort does not know if Trump or the Trump Organization had any business in Russia. Manafort does not know if Trump or the Trump Organization owed money to anyone in Russia. Manafort did not have a conversation with Trump or anyone else as to whether there was anything negative that Manafort should know as Campaign Chair. Manafort already had the RNC book on Trump.

Interviewers read to Manafort text messages between Manafort and [REDACTED]

[REDACTED] Manafort does not believe that [REDACTED] text message relates to [REDACTED] Manafort believes [REDACTED] message may be about [REDACTED]

[REDACTED] Kushner called Manafort. [REDACTED]

b6  
b7A  
b7B per DOJ/OIP  
b7C

Subsequent to Kushner's call, Manafort received a call from [REDACTED]

[REDACTED] Manafort never discussed whether [REDACTED] had a solution. Manafort did not want [REDACTED] involved. Manafort told [REDACTED] that it had been handled. Manafort did not tell [REDACTED] who handled it.

b6  
b7A  
b7B per DOJ/OIP  
b7C

Manafort submitted false documents to obtain loans. Manafort is not aware of any bank personnel that knew the information was false. [REDACTED] understood that Manafort had no income. [REDACTED] said that we invest in people.

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FBI(19cv1278)-1298

UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Paul Manafort

Continuation of FD-302 of 09.13.2018, On 09/13/2018, Page 5 of 5

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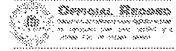
The Advice of Rights and Letter Agreement will be maintained in the 1-A section of this casefile.

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FBI(19cv1278)-1299

## FEDERAL BUREAU OF INVESTIGATION

b7E



Date of entry 08/27/2018

JOHN KINNEY MASHBURN, date of birth (DOB) [REDACTED] social security account number [REDACTED] was interviewed at the Special Counsel's Office, 395 E Street SW, Washington, DC 20546. MASHBURN was accompanied by his attorney, [REDACTED] from the Gammon, Howard & Zeszotarski law firm, 115 1/2 West Morgan Street, Raleigh, North Carolina 27601. [REDACTED] telephone number is [REDACTED]. Present from the Special Counsel's Office were Assistant Special Counsel (ASC) Aaron Zelinsky and FBI Special Agent (SA) [REDACTED]

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b7C

MASHBURN was provided with a proffer agreement for this interview. He reviewed the agreement with [REDACTED] and they both signed it. MASHBURN was advised intentionally providing false statements to FBI Agents was a violation of federal law. After being advised of the identity of the interviewing Agent and the nature of the interview, MASHBURN provided the following information:

CAMPAIGN ACTIVITIES

MASHBURN worked as a volunteer for the DONALD J. TRUMP campaign until he became full time, in either late March or early April 2016. MASHBURN primarily worked out of the campaign's office in Alexandria, Virginia. His official title was Policy Director and he reported directly to RICK DEARBORN. SAM CLOVIS was the Policy Director prior to MASHBURN's arrival and in a sense, MASHBURN assumed CLOVIS' position when he came on board. CLOVIS was a radio surrogate and he recruited the individuals who attended the foreign policy meeting on March 31, 2016.

MASHBURN worked on domestic policy matters such as health care, the national budget, and matters related to the Armed Services. MASHBURN often reached out to various experts in those fields for policy advice and guidance. MASHBURN managed approximately four to six people during the early part of the campaign, most of which worked on foreign policy matters. The others worked on judiciary matters. WALID PHARES was an individual who worked on foreign policy. PHARES made a television appearance on behalf of the campaign which was viewed negatively by the campaign. PHARES eventually quit because he wasn't paid. A lot of campaign officials were upset about not being paid and it became an issue for the

Investigation on 06/25/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date dictated 06/25/2018

by [REDACTED]

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FBI(19cv1278)-1300

Continuation of FD-302 of (U) Interview of John Mashburn. . On 06/25/2018 . Page 2 of 5

campaign. JD GORDON was another example. GORDON was responsible for policy matters related to the Armed Services and likely would have been paid if he had stuck around longer. GORDON and PHARES both did great work for the campaign. [REDACTED] also worked in the Alexandria office with MASHBURN. [REDACTED] handled both domestic and foreign policy matters.

b6  
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In addition to working out of the Alexandria office, MASHBURN also had regular interactions with the campaign in New York, specifically through STEPHEN MILLER. MASHBURN referred to himself as MILLER's research assistant. MILLER often traveled with candidate TRUMP and accompanied him on his airplane.

#### FOREIGN POLICY MEETING ON MARCH 31, 2016

MASHBURN did not attend the foreign policy meeting at the Trump International Hotel in Washington, DC on March 31, 2016. MASHBURN was on-boarding with the campaign at the time. In addition, MASHBURN was a "domestic guy" and would have had nothing to do with a foreign policy meeting. TRUMP was close to receiving the nomination so MASHBURN was busy preparing for the general election and the debates. When asked if MASHBURN knew what was discussed at the meeting, he stated no, and relayed that GORDON had merely told him the meeting took place.

#### EMAIL FROM GEORGE PAPADOPOULOS

MASHBURN recalled receiving an email from GEORGE PAPADOPOULOS in either late May or early June 2016. [REDACTED]

[REDACTED] MASHBURN believed he had received it while he was looking out the window of the Alexandria office. MASHBURN conducted searches for the email prior to this interview but was unable to locate it. [REDACTED]

b3

MASHBURN believed PAPADOPOULOS sent the email prior to the Republican National Convention (RNC) but he did not have discussions about it with other members of the campaign during the RNC. MASHBURN thought PAPADOPOULOS was merely trying to use headlines to make himself relevant. When MASHBURN received the email he thought, "I'm not dealing with this." If MASHBURN was to have done anything with the email, he would have

Continuation of FD-302 of (U) Interview of John Mashburn. . On 06/25/2018 . Page 3 of 5

forwarded it to DEARBORN. To the best of his recollection, he did not. When asked why PAPADOPOULOS sent him the email, MASHBURN stated that PAPADOPOULOS may have viewed him as a back-channel to the New York office.

MASHBURN first met PAPADOPOULOS when he came to the Alexandria office in either late April or early May 2016. PAPADOPOULOS was working on matters related to outreach in Armenian and Greek communities and he wanted the campaign to pay for his travel expenses. MASHBURN, like the others on the campaign, were aggravated with both PAPADOPOULOS and CARTER PAGE, because they were both [REDACTED] At one point, HOPE HICKS told PAPADOPOULOS to talk to MASHBURN because PAPADOPOULOS was becoming a problem child with campaign and they wanted to get rid of him. MASHBURN believed it was CLOVIS' responsibility to control PAPADOPOULOS given that CLOVIS had initially brought him to the campaign. MASHBURN just wanted him to go away because he had been cold-calling embassies and using the campaign to bolster his own profile. In addition, PAPADOPOULOS had previously sent emails about arranging a meeting between TRUMP and Russian President, VLADIMIR PUTIN.

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PAGE took up approximately 50% of GORDON's time and the campaign was upset with him after they learned of the speech he gave with the Russians.

MASHBURN believed he may have had a phone conversation with PAPADOPOULOS prior to their first in-person meeting and was fairly certain the two had not exchanged any text messages with one another. They did not communicate on Facebook or Twitter, nor did they use any encrypted applications like WhatsApp.

MASHBURN recognized the name JOSEPH MIFSUD but only in the context that the Judiciary Committee had asked him about MIFSUD during his testimony. MASHBURN had no further information about MIFSUD.

MASHBURN received thousands of emails during the campaign and therefore could not remember specific details about any one of them. MASHBURN did not believe PAPADOPOULOS used a personal email account because all campaign communications went through the campaign email system [Office365]. MASHBURN experienced a lot of technical issues when he used that system.

#### HILLARY CLINTON'S MISSING/DELETED EMAILS

MASHBURN remembered discussions in the campaign regarding CLINTON's missing and/or deleted emails. Everyone was looking for them and TRUMP wanted them. MASHBURN thought it would be great to find them so they could better understand several issues, like the Clinton Foundation, donations, etc. MASHBURN relayed the campaign however, was not scouring the Internet

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Continuation of FD-302 of (U) Interview of John Mashburn.

. On 06/25/2018 . Page 4 of 5

to try and find them. The emails they were searching for were related to CLINTON's private server, and not related to the emails that Wikileaks released. MASHBURN also presumed that Guccifer 2.0 had all of CLINTON's missing emails based on the press reports that surrounded Guccifer 2.0 at the time.

MASHBURN spoke with [REDACTED] after the initial dump of Wikileaks emails on July 22, 2016. They discussed going through the content to search for anything relevant. They did so, for approximately three or four days, until MASHBURN decided he couldn't keep up with all the information. After that, he just remained online and watched what the public said about the information. MASHBURN stated that although the information was of interest when it eventually came out, they [the campaign] had no prior knowledge of Wikileaks releasing the information.

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b7B per DOJ/OIP  
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#### RNC PLATFORM CHANGE

MASHBURN was in charge of the platform for the campaign. Prior to the 2006 platform, MASHBURN read through the Republican platforms for RONALD REAGAN in the 1980's, and the platforms for previous elections in the years 2004, 2008, and 2012. Specifically, MASHBURN looked at what MITT ROMNEY dictated in 2012. That was a stance of not getting involved in the platform and letting it be written with a hands-off attitude. MASHBURN gave that advice to the six people who were attending at the convention. His advice was not to cancel anything unless it was a direct contradiction to what TRUMP wanted and if there was a problem then they should call MASHBURN or DEARBORN.

MASHBURN received a call from GORDON regarding an issue with Ukraine. MASHBURN called and relayed the information to DEARBORN, then stepped into a utility hallway to speak with GORDON. MASHBURN told GORDON that TRUMP had not taken a stance on the issue and not to directly intervene if it did not directly conflict with what TRUMP wanted. MASHBURN then saw that the words "appropriate assistance" were used and he thought GORDON had gone against the directions he was given. MASHBURN was not aware of GORDON

FBI(19cv1278)-1303

Continuation of FD-302 of (U) Interview of John Mashburn. . On 06/25/2018 . Page 5 of 5

having any discussions with campaign officials in New York at the time this issue was raised. MASHBURN thought it was strange that GORDON raised this issue with him because GORDON did not even mention an issue about an Israeli change in the platform that resulted in a page and a half of changes. Later, MASHBURN asked GORDON about that issue and GORDON said, "Oh yeah, they changed a page and a half." GORDON was sent home early after that because he interfered in something he shouldn't have.

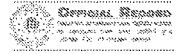
ADMINISTRATIVE

MASHBURN advised that [REDACTED] knew of his interview with the Special Counsel's Office. MASHBURN had not made anyone else aware of this interview.

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MASHBURN agreed to conduct additional searches on his computer related to search terms provided by the Special Counsel's Office.

A copy of the proffer letter for this interview is enclosed for the file as a digital 1A attachment to this FD-302. The original will be maintained as a physical 1A item.

UNCLASSIFIED//~~FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 08/13/2018

JOHN MASHBURN, [REDACTED] was interviewed on August 2, 2018 at the Special Counsel's office, 395 E Street SW, Washington, D. C. Present during the interview were MASHBURN's attorney [REDACTED] FBI Special Agent (SA) [REDACTED], and Special Counsel Attorneys Aaron Zelinsky and Andrew Goldstein. MASHBURN signed the attached proffer letter and then provided the following information:

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[REDACTED] b5 Per DOJ/OIP  
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[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP

[REDACTED] b5 Per DOJ/OIP  
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[REDACTED] b5 Per DOJ/OIP  
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UNCLASSIFIED//~~FOUO~~Investigation on 08/02/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date drafted 08/02/2018by [REDACTED]b6  
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Continuation of FD-302 of (U) John Mashburn interview 08/02/2018 . On 08/02/2018 . Page 2 of 6

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b7CUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1306

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U) John Mashburn interview 08/02/2018 , On 08/02/2018 , Page 3 of 6

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Continuation of FD-302 of (U) John Mashburn interview 08/02/2018 . On 08/02/2018 . Page 4 of 6

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Continuation of FD-302 of (U) John Mashburn interview 08/02/2018 . On 08/02/2018 . Page 5 of 6

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FD-302a (Rev. 05-08-10)

[Redacted]

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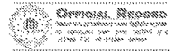
[Redacted]

Continuation of FD-302 of (U) John Mashburn interview 08/02/2018 . On 08/02/2018 . Page 6 of 6

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FD-302 (Rev. 5-8-10)

- 1 of 6 - ~~SECRET~~b7A  
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## FBI INFO.

CLASSIFIED BY: NSICG [redacted]

REASON: 1.4 (C.U.)

DECLASSIFY ON: 12-31-2042

DATE: 11-27-2019

~~UNCLASSIFIED//FOUO~~  
FEDERAL BUREAU OF INVESTIGATION

Date of entry 10/25/2017

## DOCUMENT RESTRICTED TO CASE PARTICIPANTS

This document contains information that is restricted to case participants.

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(U//~~FOUO~~) Kathleen Troia "K.T." McFarland, date of birth [redacted] social security account number [redacted] telephone numbers [redacted] (cell); [redacted] (home) & [redacted] (home) was interviewed by SA [redacted] & SSA [redacted] in a conference room at Debevoise & Plimpton, 919 3rd Avenue, New York, NY. Also present was [redacted] attorney [redacted] of [redacted] telephone numbers [redacted] (cell) & [redacted] (office direct line). McFarland was acquainted with the interviewing agents from previous interviews. She provided the following information:

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(U//~~FOUO~~) News that the Obama Administration planned to impose sanctions on Russia started to come out on December 28, 2016, but they had not been officially announced and specifics were unknown. Sanctions were just one of "several and many things" going on at that time. McFarland, who was in Mar-a-Largo with the President-elect, did not recall what specific conversations she had at which times or to whom she spoke, but sanctions were in the news, so it made sense to her they were among the topics discussed.

(U//~~FOUO~~) McFarland reviewed Email #1, which was from [redacted] [redacted] She did not specifically remember the email, but recalled she had asked [redacted] for information about sanctions because he was an

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Investigation on 10/17/2017 at New York, New York, United States (In Person)

File # [redacted]

Date drafted 10/18/2017

by [redacted]

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FBI(19cv1278)-1311

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~~SECRET~~~~UNCLASSIFIED//FOUO~~Continuation of FD-302 of ~~(U//FOUO)~~ K.T. McFarland third interview . On 10/17/2017 . Page 2 of 6

international lawyer. His initial response was too detailed and complicated, so she asked for something simpler. [redacted] thinking on the topic was in line with hers.

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~~(U//FOUO)~~ Email #2 was McFarland's take on the sanctions, replying to incoming Homeland Security Adviser Tom Bossert.

~~(U//FOUO)~~ While in Mar-a-Largo, [redacted] b5 Per DOJ/OIP  
[redacted] which [redacted] gave to the President-elect. [redacted]

[redacted]

[redacted] McFarland never discussed the specific terms of the sanctions with anyone. She would have told Michael Flynn about how the session with the President-elect went during one of their phone calls.

~~(U//FOUO)~~ McFarland provided a printout of a December 29, 2016 newspaper article headlined "After Obama sanctions Russia, Trump says it's time 'to move on to bigger and better things.'" She pointed out the President-elect's statement in the story, "I think we ought to get on with our lives" and recalled it was a quick comment to reporters after he met with boxing promoter [redacted]

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~~(U//FOUO)~~ [redacted]  
[redacted] She recalled the difficulty communicating with him at that time because of the telephone connections. She did not have specific recollections about the times of the calls with Flynn or what was discussed in which call. Flynn mentioned several issues he intended to discuss with the Russians, and McFarland believed she would have given him her theories about the sanctions.

~~(U//FOUO)~~ McFarland had no reason to think Flynn was in contact with the President-elect or anyone at Mar-a-Largo other than her. Nothing the

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~~SECRET~~~~UNCLASSIFIED//FOUO~~Continuation of FD-302 of (U//FOUO) K.T. McFarland third interview . On 10/17/2017 . Page 3 of 6

President-elect or Flynn ever said gave her reason to believe they had been in contact with each other during this time. She did not participate in any calls with the President-elect and Flynn or convey any messages between them. Flynn did not seem particularly well-informed when they spoke, and she had the impression he had been spending the time on the beach with his wife rather than closely following current events. She never heard the President-elect direct anyone to do anything regarding the sanctions, including communicate with anyone from Russia or talk to Flynn. She was never tasked to research, communicate with anyone or do anything related to the sanctions and the opinions she provided on the subject were unsolicited.

(U//FOUO) Email #3 contained McFarland's sanctions analysis. ☐ b5 Per DOJ/OIP

[REDACTED]

× [REDACTED] (S)

b1  
b3

[REDACTED] b5 Per DOJ/OIP

[REDACTED]

[REDACTED] (S)

× [REDACTED] (S)

b1  
b3

(U//FOUO) McFarland was given printouts of press pool reports from May 4, 2017 through May 8, 2017 when she traveled with the President to New York and New Jersey. She read the printouts and recalled the events of the weekend. This was her last trip with the President as Deputy National

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Continuation of FD-302 of (U//FOUO) K.T. McFarland third interview, On 10/17/2017, Page 4 of 6

Security Adviser. She went on the trip because National Security Adviser H.R. McMaster was in Arizona and Chief of Staff Keith Kellogg was in North Carolina.

b7E Per DOJ/OIP  
b7F Per DOJ/OIP

b5 Per DOJ/OIP

(U//FOUO) After the meetings and dinner, they flew on Air Force One to the small airport at or near Bedminster, New Jersey. They arrived at the Trump National Golf Club, which was John DeLorean's former estate, at about midnight. Most of the staff had to stay "off campus," but the McFarland and [REDACTED]

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[REDACTED] had a hotel room at the club. Attached is the sketch they drew of the facilities.

(U//FOUO) The club facilities include a club house, restaurant, hotel and two golf courses. It was functioning all weekend with club members, guests and people with a private party all around the facility. The Trumps and Kushners have their own detached houses on the grounds, and McFarland did not see or have any interaction with the President on Friday, May 5 until she saw him at dinner at the club. The McFarlands bought dinner for [REDACTED] whom they introduced to the President. The President seemed to be in high spirits, talking to people who approached him and people sitting at different tables in the dining room. He is also the golf club president, and he appeared to be enjoying the company of his friends.

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(U//FOUO) Saturday, May 6 was rainy at times, but the President played golf with friends and the McFarlands walked around the golf course. There was a 4:00 p.m. telephone call scheduled with the President of Peru, but it was delayed until 6:00 p.m. McFarland's only duties with the President that day were preparing him for the call and taking notes of his side of the conversation. They saw him that night at dinner and he again appeared to be in good spirits and enjoying interacting with all the people around. One of the nights the President had brownies sent to all the tables.

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b7E~~UNCLASSIFIED//FOUO~~Continuation of FD-302 of ~~(U//FOUO)~~ K.T. McFarland third interview . On 10/17/2017 . Page 5 of 6

~~(U//FOUO)~~ [redacted] and McFarland spent the day catching up on reading and working in the SCIF. At the end of the day, she rode in the motorcade back to the airport where they boarded Air Force One for the return trip. McFarland drew a sketch of the inside of the plane which is attached. The President has a private area at the front of the plane and a conference room behind that. Behind the conference room are sections of seats separated by bulkheads. The nicest seats are closest to the front. She was sitting in the first area of seats with [redacted] and the White House photographer. She did not recall where Stephen Miller was, but Dan Scavino was around her most of the time. Ivanka Trump and Kushner and their children sat nearby as well, although McFarland thought Kushner may have gone up to the President's area a couple times during the trip. She did not see the President before they landed and did not know who rode with him.

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~~(U//FOUO)~~ After they landed, the passengers got their things together and were ready to leave, but they were not allowed to get off the plane. McFarland did not know the reason, but it may have been for protocol or security reasons that they had to wait for the President. When shown a report that the Kushners and their children got off the plane after about 15 minutes, McFarland did not recall when that happened or why they were allowed to go, but she remembered how restless the kids were when they were all waiting to get off the plane. Eventually the President came out of the front suite or conference room and when he looked toward the back of the plane seemed surprised to see the passengers waiting. She thought he did not know they were all being held to wait for him. He called McFarland forward for a brief conversation. They did not discuss policy issues. They talked about how it was her last trip and he remarked that Singapore was a good place to go. He invited her to come by his office for a picture with him before she left the country. She did not notice anything unusual about his demeanor then or at any time that weekend.

~~(U//FOUO)~~ McFarland never heard the President or anyone else mention then-FBI Director James Comey during this weekend. She had no indication the President was considering dismissing Comey.

**Administrative**

~~(U//FOUO)~~ McFarland drew a sketch of the west wing of the White House placing everyone's offices. The sketches and other documents mentioned in this 302 are attached in a 1-A envelope.

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~~SECRET~~~~UNCLASSIFIED//FOUO~~Continuation of FD-302 of ~~(U//FOUO)~~ K.T. McFarland third interview . On 10/17/2017 . Page 6 of 6

~~(U//FOUO)~~ This interview covered subjects discussed in previous interviews, some of which is documented in this FD-302. McFarland did not say anything considered inconsistent.

~~(U//FOUO)~~ The interview took place at Debevoise & Plimpton at the McFarlands' request

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greeted the agents at the beginning of the interview, but left after exchanging pleasantries. Neither he, nor anyone from the firm, participated in the interview.

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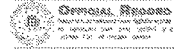
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FD-302 (Rev. 5-8-10)

- 1 of 2 -

~~UNCLASSIFIED//FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 12/07/2017

## DOCUMENT RESTRICTED TO CASE PARTICIPANTS

This document contains information that is restricted to case participants.

The evening of December 5, 2017, K.T. & [redacted] attempted multiple times to reach SSA [redacted] by telephone. [redacted] so there were difficulties establishing a telephone connection. After failed calls to/from both K.T. and [redacted] telephones, eventually SSA [redacted] connected with them on K.T. McFarland's ("McFarland's") telephone, [redacted] was able to listen in, as he could be heard contributing to the conversation.

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[redacted] They were aware of the significant media attention which McFarland was receiving. SSA [redacted] told McFarland that with her involvement with the General Mike Flynn situation through the Special Counsel investigation and now inquiries from the United States Senate, she was entering "choppy legal waters" and he would give her the same advice he would give a friend or family member in a similar situation, which was that she should retain an experienced attorney to help her navigate through the situation. SSA [redacted] said she should not draw any inferences from this advice, but that a professional with the proper experience would be useful to her since the situation had become more complicated. McFarland said they had reached the same conclusion and were in discussions with an attorney about representation. [redacted] said they expected to finalize retention of an attorney the next day (December 6, 2017), but they did not want to identify the attorney until that was done.

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[redacted] said he had been in email contact with Special Counsel attorney Brandon Van Grack. They still planned to keep appointments with the Special Counsel in Washington, D.C. on December 14 and 15, 2017.

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McFarland asked whether SSA [redacted] could provide two emails which he and SA [redacted] had shown to her in her interviews. She did not have the emails,

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b7C~~UNCLASSIFIED//FOUO~~Investigation on 12/05/2017 at Arlington, Virginia, United States (Phone)

File # [redacted] Date dictated 12/06/2017  
by [redacted]

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UNCLASSIFIED//~~FOUO~~

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[REDACTED]  
(U//~~FOUO~~) K.T. [REDACTED] McFarland telephone  
Continuation of FD-302 of conversation . On 12/05/2017 , Page 2 of 2b6  
b7C

but they were now apparently widely held, including by the New York Times, which published, but grossly misrepresented them. The emails were one from her dated December 29, 2016 in which she discussed President Obama's three political objectives in imposing sanctions and mentioned Flynn's scheduled call with the Russian ambassador that evening; and an email from Flynn to her the next day, December 30, 2017, in which Flynn reported on his conversation with the ambassador. McFarland felt she was at a disadvantage since "everyone in the world" had copies of the emails except for her. SSA [REDACTED] said he would see what he could do, but that may be a matter best handled through the attorneys.

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McFarland said that documents related to Flynn's plea mentioned a transition team official, which others were identifying as her. She asked SSA [REDACTED] what this meant. SSA [REDACTED] told McFarland that as long as she told the truth, she should not worry about anything anyone else said. He reminded her that when people did not tell the truth they were opening themselves up to problems and as long as she was truthful, she was fine. McFarland said she understood and wanted to make sure that she was still viewed as a witness. SSA [REDACTED] said she was.

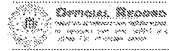
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At a later point, the connection was lost abruptly, and an effort to call McFarland back was unsuccessful.

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FD-302 (Rev. 5-8-10)

- 1 of 7 - ~~SECRET~~b7A  
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## FBI INFO.

CLASSIFIED BY: NSICG [redacted]  
 REASON: 1.4 (C.U.)  
 DECLASSIFY ON: 12-31-2042  
 DATE: 11-27-2019

~~UNCLASSIFIED//FOUO~~  
FEDERAL BUREAU OF INVESTIGATION

Date of entry 09/20/2017

(U//~~FOUO~~) Kathleen Troia "K.T." McFarland, date of birth [redacted]  
 social security account number [redacted] telephone numbers [redacted]  
 [redacted] (cell); [redacted] (home) & [redacted]  
 [redacted] home) was interviewed by SA [redacted] & SSA [redacted] in a  
 conference room at Debevoise & Plimpton, 919 3rd Avenue, New York,  
 NY. Also present was [redacted] attorney [redacted]

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[redacted] telephone numbers [redacted] (cell) & [redacted] (office direct  
 line). McFarland was acquainted with the interviewing agents from a  
 previous interview. She provided the following information:

(U//~~FOUO~~) At the onset, McFarland wanted to correct what she said in her  
 previous FBI interview about the timing of one of her trips to Washington  
 D.C. during the 2016 transition. The trip, which included a meeting with  
 outgoing National Security Adviser Susan Rice was the week after the Army  
 /Navy football game, not the week before.

(U//~~FOUO~~) After her last interview, McFarland looked on the internet for  
 media stories to jog her memory. She found information that on December  
 22, 2016, the President-elect tweeted urging a veto of the United Nations  
 (U.N.) resolution condemning Israel and followed that up with a written  
 statement. McFarland said if the President is tweeting about something,  
 that is a good indication about exactly what he is thinking at that  
 time. He made no secret of his position on the U.N. vote.

(U//~~FOUO~~) Interviewing agents showed McFarland several emails (numbered  
 and maintained in a 1-A). While she had no recollection of some of them,  
 she did not dispute any of their authenticity.

(U//~~FOUO~~) Email #1 was from [redacted] who was on the Presidential  
 Transition Team (PTT) staff and had previously worked for the National  
 Security Council (NSC). McFarland did not have a specific recollection of  
 the email, nor did she know exactly who Michael Flynn was referring to  
 when he mentioned the "inner circle." She identified [redacted] as a  
 Fox New Channel (FNC) colleague who was a former United Nations

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spokesman. He wanted a job in the incoming administration. She had known

~~UNCLASSIFIED//FOUO~~

Investigation on	09/14/2017	at	New York, New York, United States (In Person)
File #	[redacted]	Date drafted	09/15/2017
by	[redacted]		

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 to be distributed outside your agency.

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~~SECRET~~~~UNCLASSIFIED//FOUO~~b7A  
b7EContinuation of FD-302 of (U//~~FOUO~~) K.T. McFarland second interview , On 09/14/2017 , Page 2 of 7

spokesman. He wanted a job in the incoming administration. She had known [redacted] for over a decade and "everyone" would have known him.

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(U//~~FOUO~~) Email #2 she did not specifically recall. She thought it was after the President-elect's tweet and statement on the U.N. vote, which she previously mentioned, and whatever actions Flynn took. They wanted a result different from what the Obama Administration had wanted. When the resolution was pulled, it appeared the President-elect's position prevailed, and the resolutions' failure would have reflected the traditional American position regarding Israel. She considered their work against the resolution a team effort.

(U//~~FOUO~~) Email #3 was an update on what Flynn was doing as he "worked the phones" on the UN resolution. It was sent to her as background information since she was not engaged on the issue. This was Flynn's area of expertise, and she did not have any responsibilities in this area. In fact, when this email was sent, she was already on Christmas vacation in [redacted]

[redacted] She did not know if Flynn was in New York or Washington when he sent the email. She did not know where Flynn got his information, but she was not aware of anyone else helping him on this. She could not recall any conversations about the email, although if she was involved in discussions, they would have been general talks about whether the President-elect should issue a press release.

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(U//~~FOUO~~) Based on her study of prior presidential transitions, McFarland believed the sorts of things Flynn did were not unusual. She cited Richard Nixon's involvement in Vietnam War peace talks and Ronald Reagan's purported dealings with Iran to free American hostages during their transitions as precedent for proactive foreign policy engagements by an incoming administration. Most incoming administrations did similar things. No "red light" or "alarm bells" went off in her head when she heard what Flynn was doing. The President-elect made his support for Israel very clear during the campaign and contrasted his position with President Obama, who he believed had not treated Israel fairly.

(U//~~FOUO~~) McFarland was generally familiar with the Logan Act, but she had not thought deeply about it. She knew it dated back to 1799 and nobody had ever been prosecuted for violating it. Many of the people involved in the incoming administration had no government experience, so they would not be familiar with the Logan Act. She did not recall any discussions that what Flynn was doing was inappropriate.

(U//~~FOUO~~) Email #4 she did not specifically recall. It would be fair to say Flynn was working the phones with his contacts to try to get a vote in

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~~SECRET~~~~UNCLASSIFIED//FOUO~~Continuation of FD-302 of (U//~~FOUO~~) K.T. McFarland second interview , On 09/14/2017 , Page 3 of 7

favor of Israel. She seemed to be telling Flynn to take credit for the critical role he played in doing what the President-elect wanted. She was probably at home with her grandchildren when she sent it.

b5 Per DOJ/OIP

Around this time, the President-elect had also just nominated David Friedman to be U.S. Ambassador to Israel.

(U//~~FOUO~~) It is possible Flynn was working with someone from the Washington D.C. team on the U.N. vote, but McFarland could not think of who it might be. She was not aware that he had engaged any Middle East or Israel experts, and as far as she knew, he was working alone.

(U//~~FOUO~~) The only foreign counterpart McFarland spoke to during the transition was Paddy McGuinness, her counterpart in the British government. She did not ask him to do anything and did not discuss the U. N. vote with him.

(U//~~FOUO~~) Email #5 dealt with her trip to Mar-a-Largo with the President-elect. She and Flynn agreed that there should always be an NSC "duty officer" with the President/President-elect to staff him if needed. In addition to being duty officer, she had two other jobs: attending the Presidential Daily Briefs (PDBs), which would be given by Ted Gistaro from the Office of the Director of National Intelligence; and providing the President-elect national security background information she thought he needed. The President-elect lacked a national security background and the email discussed experts who might be able to provide him useful information.

(U//~~FOUO~~) During the Mar-a-Largo trip, McFarland was accompanied by

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She only saw the President-elect two or three times on work matters during this trip, as well as a few times in the dining room. She sketched the layout of the main public areas of the hotel for the interviewing agents.

b7E Per DOJ/OIP  
b7F Per DOJ/OIP~~UNCLASSIFIED//FOUO~~~~SECRET~~

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~~SECRET~~~~UNCLASSIFIED//FOUO~~Continuation of FD-302 of (U//~~FOUO~~) K.T. McFarland second interview . On 09/14/2017 . Page 4 of 7

(U//~~FOUO~~) NSC transition staffer [redacted] was there with her, although [redacted] did not have a room in the hotel. The two of them took over a small area in an overflow dining room as their work area.

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b7E Per DOJ/OIP

b7F Per DOJ/OIP

(U//~~FOUO~~) The President-elect did not have a "door keeper" with him and seemed to make his own scheduling decisions. At various times McFarland recalled seeing Preibus and Spicer and the President-elect's wife and young son, but she did not know exactly who was there and when they were there. There were no structured staff meetings, although there may have been discussions about logistics, such as when to have the PDB. [redacted]

b5 Per DOJ/OIP

[redacted] That meeting may have been in the bar/tap room.

(U//~~FOUO~~) During this time, when McFarland was in Florida and Flynn was in the Caribbean, they did not have regularly scheduled interactions. There were no set times for calls. She recalled them trying to check in with each other once or twice a day, but there were challenges with the telephone connections and their availabilities.

(U//~~FOUO~~) McFarland was shown a calendar entry for December 28, 2016 and confirmed the entry would have represented a PDB. She sat in the briefing, but did not recall who was there besides Gistaro. It was a small number of people and it took place in a basement studio apartment in the hotel.

(U//~~FOUO~~) [redacted]b3  
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[redacted] There were many cut off and interrupted calls, and she could not remember a call that went on that long. A long call could have covered a range of topics such as [redacted]

b5 Per DOJ/OIP

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~~SECRET~~~~UNCLASSIFIED//FOUO~~Continuation of FD-302 of (U//~~FOUO~~) K.T. McFarland second interview , On 09/14/2017 , Page 5 of 7

b5 Per DOJ/OIP

(U//~~FOUO~~) Email #6 was an email to [REDACTED] a Los Angeles attorney who wanted a job in the administration. He was smart and she read a book he wrote about arms control. [REDACTED]

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b5 Per DOJ/OIP

[REDACTED] She did not recall a telephone call with [REDACTED] and while they might have discussed sanctions if they had a call, because he is an expert in the area, they also could have talked about [REDACTED] potential job.

(U//~~FOUO~~) McFarland did not recall any conversations she may have had with Flynn the day the sanctions were announced. [REDACTED]

b5 Per DOJ/OIP

and Russian President Putin's desire for a congratulatory video conference after the inauguration.

(U//~~FOUO~~) Email #7 was from Tom Bossert, who had been named Homeland Security Adviser designee or was close to being named. She did not know if Bossert sent the original email to Flynn or not. [REDACTED]

b5 Per DOJ/OIP

[REDACTED] Her focus at that time was on nuclear weapons and North Korea. McFarland and Flynn were speaking on a non-secure telephone line, so it's reasonable that they would speak somewhat vaguely on purpose, although McFarland did not specifically recall talking to Flynn about being careful on the phone. [REDACTED]

b5 Per DOJ/OIP

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Continuation of FD-302 of (U//~~FOUO~~) K.T. McFarland second interview .On 09/14/2017 .Page 6 of 7

(U//~~FOUO~~) Email # 8 was an email from Flynn which she forwarded. She and [redacted] left Mar-a-Largo that morning, and did not get home until early afternoon, so she forwarded it while she was still en route to [redacted]

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b5 Per DOJ/OIP

[redacted] She did not recall being concerned that Flynn did not mention sanctions in this email.

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b5 Per DOJ/OIP

(S)

### Egypt

(U//~~FOUO~~) McFarland visited Egypt in July 2014, the year after Mohamed Morsi was removed as Egypt's president. She was working for FNC at the time. The trip was arranged by the Westminster Institute, a non-profit foreign policy organization, and she traveled with about ten other people, most of whom were former military members. The institute paid their (coach class) travel expenses.

(U//~~FOUO~~) [redacted] was the Egyptian point person and was instrumental in setting up the group's meetings and arranging accommodations. [redacted] ran the largest travel agency in the Middle East and appeared to be very well-connected. The trip included a series of meetings with members of Egypt's defense department; student groups involved in the overthrow of Morsi; business leaders; foreign ministry representatives, including the Minister of Defense; the American Chamber of Commerce; and even the Coptic

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b7EContinuation of FD-302 of ~~(U//FOUO)~~ K.T. McFarland second interview . On 09/14/2017 . Page 7 of 7

Pope. They thought they were just having a photo opportunity with Abdel Fattah el-Sisi, the former defense minister and acting Egyptian leader, but they wound up having a two and a half hour meeting with him. McFarland considered the trip a great opportunity as both a person in the national security field and a journalist. After coming home she stayed in touch with [ ] via general emails.

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~~(U//FOUO)~~ A year or year-and-a-half later, McFarland had another opportunity to travel to Egypt. El-Sisi was now elected leader of Egypt. He had never been interviewed by an American media outlet and had agreed to be interviewed by FNC's Brett Baier. [ ] again served as point man on the Egyptian side and McFarland was heavily involved in FNC's logistics in making sure the interview came off.

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~~(U//FOUO)~~ [ ] called McFarland and told her he was passing through New York around Christmas 2015, and they met for a social engagement. He also may have called with congratulations after the 2016 Presidential election.

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~~(U//FOUO)~~ After McFarland began as Deputy National Security Adviser, [ ] asked her to meet, and she agreed to do so. She set up the meeting, but someone noticed his name on her calendar, and the NSC staff advised her not to meet with [ ] so she canceled the meeting.

b6  
b7C**Administrative**

~~(U//FOUO)~~ The interview took place at Debevoise & Plimpton at the McFarlands' request. [ ]

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[ ] arranged for the room and greeted the agents at the beginning of the interview. After exchanging pleasantries, [ ] left. Neither he, nor any attorneys from the law firm participated in the interview.

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 04/13/2018

On March 27, 2018, DIMITRI SIMES, President and Chief Executive Officer (CEO) of CENTER FOR THE NATIONAL INTEREST (CNI), was interviewed pursuant to a proffer agreement at Patriots Plaza I, 395 E Street SW, Washington, DC 20546 by Special Agent (SA) [REDACTED] SA [REDACTED] Intelligence Analyst (IA) [REDACTED] and Assistant Special Counsel (ASC) Aaron Zelinsky. Accompanying SIMES were CNI's outside counsel attorneys [REDACTED] [REDACTED] and [REDACTED] from Baker & Hostetler, LLP. After being advised of the identities of the interviewing officials and after reviewing the proffer agreement, in the presence of his attorneys, SIMES executed the proffer agreement, whereupon he provided the following information:

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b7EInvestigation on 03/27/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date drafted 03/29/2018by SA [REDACTED], [REDACTED], [REDACTED]b7E  
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b5 Per DOJ/OIP

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The TIME  
WARNER luncheon was organized with the purpose of looking for potential  
donors and future CNT Board members.

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Continuation of FD-302 of (U) Interview of Dimitri Simes, On 03/27/2018, Page 3 of 20

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/27/2018 . Page 4 of 20

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/27/2018 . Page 5 of 20

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The last thing SIMES wanted was for CNI to be seen as an intermediary between the Russian government and a U. S. Presidential administration.

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/27/2018 . Page 6 of 20

b5 Per DOJ/OIP

[REDACTED]

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[REDACTED] RUSHNER gave SIMES the impression that  
the information was "old news." [REDACTED]

[REDACTED]

b5 Per DOJ/OIP

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[REDACTED]

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/27/2018 . Page 7 of 20

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/27/2018 . Page 16 of 20

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/27/2018 . Page 20 of 20

[Large Redacted Area]

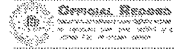
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## FEDERAL BUREAU OF INVESTIGATION

b7E



Date of entry 04/09/2018

On March 7, 2018 and March 8, 2018, DIMITRI SIMES, President and Chief Executive Officer (CEO) of CENTER FOR THE NATIONAL INTEREST (CNI), was interviewed pursuant to a proffer agreement at Patriots Plaza I, 395 E Street SW, Washington, DC 20546 by Special Agent (SA) [REDACTED] SA [REDACTED] Intelligence Analyst (IA) [REDACTED] Assistant Special Counsel (ASC) Aaron Zelinsky, Senior Assistant Special Counsel (SASC) Andrew Goldstein, and SASC Jeannie Rhee. Accompanying SIMES on March 7, 2018 were CNI's outside counsel attorneys [REDACTED] [REDACTED] and [REDACTED] from Baker & Hostetler, LLP. Accompanying SIMES on March 8, 2018 were [REDACTED] [REDACTED] and [REDACTED]. After being advised of the identities of the interviewing officials and after reviewing the proffer agreement, in the presence of his attorneys, SIMES executed the proffer agreement, whereupon he provided the following information:

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b5 per DOJ/OIP

[REDACTED] At the time, SIMES was working at CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE (CARNEGIE ENDOWMENT), [REDACTED]

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b5 per DOJ/OIP

Investigation on 03/08/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date dictated 03/15/2018

by SA [REDACTED] [REDACTED] [REDACTED]

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/08/2018 . Page 2 of 33

b5 per DOJ/OIP

SIMES agreed to run the NIXON CENTER.

b5 per DOJ/OIP

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b5 per DOJ/OIP

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b5 per DOJ/OIP

SIMES was currently the President and CEO of CNI. SIMES was also the Publisher and CEO of CNI's magazine, THE NATIONAL INTEREST. b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

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Continuation of FD-302 of (U) Interview of Dimitri Simes . On 03/08/2018 . Page 3 of 33

b5 per DOJ/OIP

KISSINGER served as Honorary Chairman for CNI's Board.

b5 per DOJ/OIP

b5 per DOJ/OIP

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP  
b6  
b7C

b5 per DOJ/OIP

b5 per DOJ/OIP

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b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

Over the years, CNI used the CARNEGIE grants for Track II's to Russia, organize and plan for a number of Russian delegations to visit the U.S., as well as organize and plan for U.S. delegations to visit Russia.

March 2016 luncheon at TIME WARNER

b5 per DOJ/OIP

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could benefit from conversations with KISSINGER and, in turn, they would want to become involved in CNI's work. [REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

b3  
b6  
b7C  
b7E  
b7A

[REDACTED] b5 per DOJ/OIP

b3  
b7A  
b7E  
b6  
b7C

b6  
b7C  
b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

b3  
b7A  
b7E

As previously discussed, SIMES had a telephone call with KUSHNER shortly after the TIME WARNER luncheon. [REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

SIMES met with KUSHNER in New York on March 31, 2016

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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[REDACTED]  
[REDACTED] b5 per DOJ/OIP  
[REDACTED]  
[REDACTED] SIMES told KUSHNER the best way to approach  
foreign policy would be to organize a small group of foreign policy

b3  
b7A  
b7E

[REDACTED]  
[REDACTED] SIMES wanted the small group of foreign policy  
experts to meet with TRUMP to develop a foreign policy approach that was  
consistent with TRUMP's voice. SIMES thought KUSHNER was comfortable with  
SIMES' suggestion.

b5 per DOJ/OIP

b3  
b7A  
b7E

[REDACTED]  
[REDACTED] b5 per DOJ/OIP

b3  
b7A  
b7E

[REDACTED] b5 per DOJ/OIP

b3  
b7A  
b7E

[REDACTED] b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

b5 per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7Eb3  
b7A  
b7E

b5 per DOJ/OIP

b5 per DOJ/OIP

b3  
b7A  
b7E

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b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E  
b6  
b7C

b5 per DOJ/OIP

b3  
b7A  
b7E  
b6  
b7C

b5 per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

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[REDACTED] b5 per DOJ/OIP  
b3  
b7A  
b7E

[REDACTED] b3  
b7A  
b7E  
[REDACTED] b5 per DOJ/OIP

[REDACTED] b5 per DOJ/OIP  
b3  
b7A  
b7E

[REDACTED] b5 per DOJ/OIP  
b3  
b7A  
b7E

[REDACTED] b5 per DOJ/OIP  
b3  
b7A  
b7E

[REDACTED] b5 per DOJ/OIP  
b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E  
b6  
b7C

Regarding the venue for TRUMP's foreign policy speech event, SAUNDERS looked at a variety of different options. b5 per DOJ/OIP

SAUNDERS looked at the MAYFLOWER HOTEL and the NATIONAL PRESS CLUB (NPC) as venues for the event.

During these Board member discussions, CNI decided to have THE NATIONAL INTEREST host the event in an effort to minimize the impression that CNI was endorsing TRUMP. With THE NATIONAL INTEREST as the host, the event was more or less a press event, so NPC was a natural fit for venue.

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

SIMES never saw an actual draft of TRUMP's foreign policy speech. He and the TRUMP campaign exchanged draft outlines.

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E  
b6  
b7C

b5 per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E  
b6  
b7C

b5 per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

b5 per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 per DOJ/OIP

b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

[REDACTED] KUSHNER told SIMES that the even-  
should be moved to the MAYFLOWER HOTEL.

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

Approximately one week before TRUMP's foreign policy speech event, b5 per DOJ/OIP  
[REDACTED] SIMES told KISLYAK  
about the event. SIMES told KISLYAK that he would include him on the list  
of invitations for the event, as well as the pre-speech reception. SIMES  
also told KISLYAK that he (KISLYAK) would have an opportunity to meet  
TRUMP. [REDACTED]

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b7A  
b7E

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b5 per DOJ/OIP

b3  
b7A  
b7E

b5 per DOJ/OIP

b5 per DOJ/OIP

b3  
b7A  
b7E

In advance of TRUMP arriving, SIMES and SAUNDERS discussed having a receiving line for TRUMP so that TRUMP could meet everyone at the pre-speech reception. SIMES and/or SAUNDERS did not coordinate the idea of a receiving line with the TRUMP campaign. SIMES decided a receiving line was a good idea, so one was quickly organized when TRUMP arrived. SIMES did not know most of the members of Congress attending the pre-speech reception, so SIMES asked SESSIONS to introduce them. SESSIONS agreed to do so. SESSIONS stood next to TRUMP introducing each member of Congress. After SESSIONS each member of Congress to TRUMP,

b3  
b7A  
b7E

b5 per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

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	b5 Per DOJ/OIP  b3 b7E b7A
	b5 Per DOJ/OIP  b3 b7A b7E
	b5 Per DOJ/OIP  b3 b7A b7E
	b5 Per DOJ/OIP  b3 b7A b7E
	b5 Per DOJ/OIP  b3 b7A b7E
	b5 Per DOJ/OIP  b3 b7A b7E

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[REDACTED] b5 Per DOJ/OIP

b3  
b7A  
b7E

[REDACTED] b5 Per DOJ/OIP

b3  
b7A  
b7E

[REDACTED] b5 Per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

[REDACTED] b5 Per DOJ/OIP

b3  
b7A  
b7E

[REDACTED] the May 23, 2016 Annual Awards Dinner,  
but Simes was not sure if KISLYAK attended. Simes did not recall seeing  
KISLYAK at the dinner.

Simes offered two recollections of KISLYAK's presence at the May 23,  
2016 Annual Awards Dinner. [REDACTED]

[REDACTED] b5 Per DOJ/OIP

b7A  
b7E

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b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 Per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

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b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

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b7E

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b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b7A  
b7E

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b7E

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After the April 27, 2016 speech, SIMES had contact with KUSHNER from time to time to discuss how to proceed with the advisory group, Russia in the campaign. [REDACTED] b5 Per DOJ/OIP

b7A  
b7E

SIMES does not remember KUSHNER initiating any conversations with him on Russia; those conversations were initiated by SIMES. Sometime after the speech, SIMES told KUSHNER to be careful and that it was bad optics for the campaign to develop "hidden" Russian contacts. [REDACTED] b5 Per DOJ/OIP

b7A  
b7E

KUSHNER never asked SIMES to set up back channel conversations with Russians. [REDACTED]

[REDACTED] SIMES told KUSHNER the campaign should not highlight Russia as an issue and any contacts with Russians should be handled with care.

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b7E

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b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

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b5 Per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

b5 Per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 Per DOJ/OIP

KUSHNER organized this meeting at 666 5th Avenue in New York at SIMES' request to talk about the advisory group and about the CLINTON campaign's Russia attacks on TRUMP and how to respond.

b3  
b7A  
b7E

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b5 Per DOJ/OIP

b3  
b7A  
b7E  
b6  
b7C

b5 Per DOJ/OIP

b3  
b6  
b7A  
b7C  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

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b7E

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<div data-bbox="146 509 922 825"></div>	<div data-bbox="967 636 1009 695">b3 b7A b7E</div>
<div data-bbox="146 836 922 1113"></div>	<div data-bbox="878 830 1023 853">b5 Per DOJ/OIP</div> <div data-bbox="956 929 997 987">b3 b7A b7E</div>
<div data-bbox="146 1125 922 1248"></div>	<div data-bbox="878 1120 1023 1143">b5 Per DOJ/OIP</div> <div data-bbox="967 1148 1009 1206">b3 b7A b7E</div>
<div data-bbox="146 1259 922 1333"></div>	<div data-bbox="878 1250 1023 1273">b5 Per DOJ/OIP</div> <div data-bbox="967 1275 1009 1333">b3 b7A b7E</div>

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b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b7A  
b7E

b5 Per DOJ/OIP

b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b6  
b7C  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

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b7E

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b5 Per DOJ/OIP

b3  
b7A  
b7E

b5 Per DOJ/OIP

b3  
b7A  
b7E

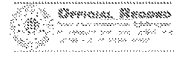
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b7E

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## FEDERAL BUREAU OF INVESTIGATION

Date of entry 02/05/2018

(U) On 01/25/2018 Special Agent [redacted] Intelligence Analyst [redacted] FBI Linguist [redacted] and Assistant Special Counsel L. Rush Atkinson interviewed ANDREY ROZOV, DOB [redacted] at The Special Counsel's Office in Washington, DC. Also present were ROZOV's counsel [redacted] asked if the interview was recorded via audio or video. ASC Atkinson indicated the interview was not recorded. The interview was conducted under a proffer agreement. ROZOV spoke Russian throughout the interview. FBI Linguist [redacted] provided translation. After being advised of the identity of the interviewing Agent and the nature of the interview, ROZOV provided the following information:

b6  
b7C

(U) ROZOV met FELIX SATER (SATER) while working on the Federation Building Tower in Moscow around 2007. The building was built by the company MIRAX. Later in 2014, SATER and ROZOV had a deal to purchase a building in New York, NY at 38th St and 5th Ave. ROZOV purchased the building and sold it in 2015 for a profit. In that deal, SATER identified the building and recommended to ROZOV to purchase it. ROZOV felt it was a good decision because it was a nice area. If ROZOV had a good understanding of real estate in New York, NY he would be wealthier.

(U) ROZOV and SATER communicated via phone and likely used WhatsApp. The two have not communicated for about two months. SATER's last communication to ROZOV was an apology for causing ROZOV any trouble regarding the public reporting of the TRUMP TOWER MOSCOW (TRUMP MOSCOW) deal.

(U) The TRUMP MOSCOW project was just a business idea, it never made it to the financing, location identification, design, or construction phases. SATER and ROZOV discussed the project as an idea. The project could have taken two different forms, one was a building fully developed by the TRUMP ORGANIZATION (TRUMP ORG), the other was a licensing deal for the building developed by another organization. In this instance the business idea was that the TRUMP ORG would license the Trump name to a building developed by ROZOV.

(U) ROZOV described the process for a hypothetical building development: ROZOV would have two options to secure the land, one is to purchase the land resulting in a wholly private project; the other is to lease the

Investigation on 01/25/2018 at Washington, District Of Columbia, United States (In Person)File # [redacted] Date drafted 01/26/2018by [redacted]b6  
b7C  
b7E

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land. Once he had a plot of land, he would begin architectural and design drafts. The drafts would allow ROZOV to approach the appropriate regulatory bodies for required authorizations. ROZOV felt that was likely similar to a place like New York, NY. Once the regulatory authorization was in place, ROZOV would confirm his ideas and intent with the building, then begin to approach services in Moscow to initiate construction. This is a rough outline on how a building project would be completed and ROZOV offered to have one of his assistants produce a much more detailed version if the FBI requested.

(U) ROZOV identified [REDACTED] as a developer who has experience building in New York, NY.

b6  
b7C

(U) The Russian Federation did not have to approve the building development in Moscow. The Moscow City government would approve the project, but that was the only governmental requirement. It was obvious to ROZOV that if Vladimir Putin or a high level official in the Federal Government stated that a particular project should happen, it would speed up the process and guarantee that it would be finished. ROZOV compared this to the power the Mayor of New York, NY may have in expediting a project.

(U) ROZOV did not recall seeing any drawings or design drafts of TRUMP MOSCOW. ROZOV never formed a vision for the project. ROZOV never looked for land for the building. ROZOV's analysis of the business idea was simple: it would not be profitable. The timing for the project was wrong; ten years earlier would have been much better. The economy was bad for high-rises at the time of the proposal. ROZOV did not rule-out the possibility for the deal in the future. The Letter of Intent (LOI) does not have an end-date. Additionally, ROZOV did not view the LOI as an obligation from either party.

(U) ROZOV's expertise is in pre-construction sales. ROZOV thinks that it would cost about \$2,500.00 per square meter to build a high-rise building in Moscow.

(U) When ROZOV signed the LOI his attitude was that it was bad timing for the project, but because the U.S. side of the deal would sign it, he did not want to turn down the opportunity. There is still the potential for a deal in the future. The details are in the letter.

(U) SATER introduced ROZOV to MICHAEL COHEN over the phone about two years ago. ROZOV was talking to SATER, and SATER passed the phone to COHEN. COHEN tried to say something to ROZOV in Russian, and ROZOV tried to say

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. On 01/25/2018 . Page 3 of 4

something to COHEN in English, and that was the extent of their conversation. ROZOV did not remember any specifics. ROZOV had no contacts with anyone else representing the TRUMP ORG.

(U) SATER is a very social person, and ROZOV has spoken to SATER intermittently, but as stated before, not in the last two months.

(U) SATER first contacted ROZOV regarding TRUMP MOSCOW by phone. SATER had contacted ROZOV about deals in the past, but they were never serious. ROZOV was unsure of how many times SATER had pitched him an idea.

(U) In regards to TRUMP MOSCOW, SATER suggested the idea and proposal to ROZOV. SATER did not have land, nor financing lined up. ROZOV would not rely on SATER to have those in place. ROZOV did not count on SATER to attain financing from a bank. ROZOV reiterated that his experience was in pre-construction sales, because they are guaranteed successes, though with a smaller profit margin. In pre-construction, all the financing comes from ROZOV himself.

(U) SATER never introduced an architect to the project, nor any development companies nor vendors.

(U) Prior to signing the LOI, ROZOV recalled some discussion of the document's language. The discussion was regarding the legal language, not the terms of the LOI. ROZOV received the original document in English, and had it translated by a service in Moscow.

(U) After the LOI was signed, SATER took no action in moving the project along. SATER did not explain any actions to ROZOV. ROZOV was not aware of any actions taken by the TRUMP ORG. The TRUMP ORG did not reach out to ROZOV, other than the previously discussed call with COHEN which occurred prior to the LOI being signed. According to SATER, COHEN was DONALD J. TRUMP's right hand man.

(U) If the project moved forward, ROZOV would have looked for a particular plot of land. High-rise buildings have specific requirements, so the land is a special location. The location did not have to be in Moscow center, it could have been elsewhere. ROZOV recalled that when individuals try to sell their projects, they always brand them as the tallest or the biggest building in the area. ROZOV would not have believed SATER's sales pitch. Business is a unique field where the business plans can paint a picture of something that does not exist yet.

(U) ROZOV was not asked to contact any Russian Federation Official on behalf of SATER or the TRUMP ORG. No one from the Russian Federation has contacted ROZOV regarding TRUMP MOSCOW.

FBI(19cv1278)-1385

Continuation of FD-302 of (U) Interview of Andrey Rozov . On 01/25/2018 . Page 4 of 4

(U) ROZOV was not aware of a plan to have TRUMP visit Moscow. ROZOV would not have began work on the project unless he had a personal meeting with TRUMP, however, this never happened. ROZOV had no personal meeting with COHEN, though it was probably discussed on the phone call with SATER and COHEN.

(U) SATER visited [REDACTED]

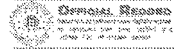
b6  
b7C

(U) ROZOV has attended the St. Petersburg Forums, there have been many, and he has attended some but not all. He did not recall any discussion of COHEN or TRUMP attending a St. Petersburg Forum.

b7E

FD-302 (Rev. 5-8-10)

- 1 of 7 -

UNCLASSIFIED//~~FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 08/28/2018

GIORGI RTSKHILADZE (alternatively GEORGIY RUKHILADZE), date of birth (DOB) [REDACTED], was interviewed at the Special Counsel's Office (SCO) on 5/10/2018. Also present during the interview were RTSKHILADZE's attorneys [REDACTED]

[REDACTED] Senior Assistant Special Counsel Jeanne Rhee, Assistant Special Counsel L. Rush Atkinson, FBI Special Agent [REDACTED] and FBI Intelligence Analyst [REDACTED]. The interview began at approximately 2:00 p.m. and concluded at approximately 5:00 p.m. Water was provided to RTSKHILADZE. After being advised of the identity of the interviewing agents, RTSKHILADZE voluntarily provided the following information:

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b7C

[REDACTED]

b5 Per DOJ/OIP

b6  
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[REDACTED]

b5 Per DOJ/OIP

[REDACTED]

b5 Per DOJ/OIP

[REDACTED]

b5 Per DOJ/OIP

b6  
b7CUNCLASSIFIED//~~FOUO~~

Investigation on 05/10/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 05/11/2018

by [REDACTED]

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b7C  
b7E

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b7E

Continuation of FD-302 of (U//~~FOUO~~) Interview of GIORGI RTSKILADZE . On 05/10/2018 . Page 2 of 7

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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FBI(19cv1278)-1388

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of GIORGI RTSKILADZE . On 05/10/2018 . Page 3 of 7

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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FBI(19cv1278)-1389



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Continuation of FD-302 of (U//~~FOUO~~) Interview of GIORGI RTSKHILADZE , On 05/10/2018 , Page 4 of 7

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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FBI(19cv1278)-1390

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of GIORGI RTSKILADZE . On 05/10/2018 . Page 5 of 7

b5 Per DOJ/OIP

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FBI(19CV1278)-1391

UNCLASSIFIED//~~FOUO~~Continuation of FD-302 of (U//~~FOUO~~) Interview of GIORGI RTSKILADZE . On 05/10/2018 . Page 6 of 7

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1392

UNCLASSIFIED//~~FOUO~~

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Continuation of FD-302 of (U//~~FOUO~~) Interview of GIORGI RTSKHLADZE . On 05/10/2018 . Page 7 of 7

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b7C

[redacted] a salacious tape regarding DONALD TRUMP. On the same day, [redacted] says they're fake. After hearing this, RTSKHLADZE did not contact COHEN to tell him [redacted] believed they were fake. [redacted]

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

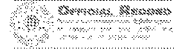
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FD-302 (Rev. 5-8-10)

- 1 of 8 -

UNCLASSIFIED//~~FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 09/29/2017

Felix SATER, born [redacted] was contacted in Washington, D.C. He was accompanied by his attorney, [redacted] Present for the interview were Senior Assistant Special Counsel Andrew Weissman, Assistant Special Counsel Lawrence Atkinson, ASAC [redacted] and Special Agent [redacted] At the outset of the interview SATER and [redacted] were presented a proffer letter dated 9/19/2017. SATER and [redacted] reviewed and signed the letter. Following this, SATER provided the following information:

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[redacted]

b5 Per DOJ/OIP

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[redacted]

b5 Per DOJ/OIP

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b7C

[redacted]

b5 Per DOJ/OIP

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b7C

[redacted]

b5 Per DOJ/OIP

b6  
b7CUNCLASSIFIED//~~FOUO~~

Investigation on 09/19/2017 at Washington, District Of Columbia, United States (In Person)

File # [redacted] Date drafted 09/28/2017

by [redacted]

b6  
b7C  
b7E

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FB(15C1278)-1401

UNCLASSIFIED//~~FOUO~~

b7E

(U//~~FOUO~~) Interview of Felix Sater on 9/19  
Continuation of FD-302 of /2017 . On 09/19/2017 . Page 2 of 8

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b7C

Post-Bayrock:

He relocated to Moscow,

b5 Per DOJ/OIP

In

2010, Trump asked SATER to work for his organization.

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b7CUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1402

UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Felix Sater on 9/19

Continuation of FD-302 of /2017 . On 09/19/2017 . Page 3 of 8

b5 Per DOJ/OIP

Trump Tower Moscow:

b5 Per DOJ/OIP

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b7C

b5 Per DOJ/OIP

b5 Per DOJ/OIP

Rozov's architect/development  
business was I.C. Expert Investments Companyb6  
b7C

SATER introduced Rozov to Cohen

b5 Per DOJ/OIP

UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1403

b7E

UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Felix Sater on 9/19

Continuation of FD-302 of /2017

. On 09/19/2017 . Page 4 of 8

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

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FBI(19cv1278)-1404



UNCLASSIFIED//~~FOUO~~

b7E

(U//~~FOUO~~) Interview of Felix Sater on 9/19  
Continuation of FD-302 of /2017 . On 09/19/2017 . Page 5 of 8

b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b7C

SATER recalled a trip to Moscow with Donald Trump Jr. and Ivanka Trump  
sometime between 2005 and 2007.

b5 Per DOJ/OIP  
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b5 Per DOJ/OIP

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b5 Per DOJ/OIP

b5 Per DOJ/OIP

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b7FUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1405

UNCLASSIFIED//~~FOUO~~

b7E

(U//~~FOUO~~) Interview of Felix Sater on 9/19

Continuation of FD-302 of /2017

. On 09/19/2017

. Page 6 of 8

b5 Per DOJ/OIP

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b7C  
b7F

b5 Per DOJ/OIP

b5 Per DOJ/OIP

b6  
b7C  
b7F

b5 Per DOJ/OIP

b6  
b7C  
b7F

b5 Per DOJ/OIP

b6  
b7C  
b7F

b5 Per DOJ/OIP

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FBI(19cv1278)-1406

FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~

b7E

(U//~~FOUO~~) Interview of Felix Sater on 9/19  
Continuation of FD-302 of /2017 . On 09/19/2017 . Page 7 of 8

b5 Per DOJ/OIP  
b6  
b7C

b5 Per DOJ/OIP  
b6  
b7C

b5 Per DOJ/OIP  
b6  
b7C

b5 Per DOJ/OIP  
b6  
b7C

b5 Per DOJ/OIP  
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b7C

b5 Per DOJ/OIP  
b6  
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FBI(19cv1278)-1407

FD-302a (Rev. 05-08-10)

UNCLASSIFIED//~~FOUO~~

b7E

(U//~~FOUO~~) Interview of Felix Sater on 9/19

Continuation of FD-302 of /2017

. On 09/19/2017 . Page 8 of 8

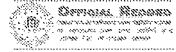
b5 Per DOJ/OIP  
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UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1408

## FEDERAL BUREAU OF INVESTIGATION

b7A  
b7EDate of entry 11/14/2018

Jerome Corsi, date of birth (DOB) [REDACTED] was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, D.C., in the presence of his attorney, [REDACTED]. Present for the interview were FBI Special Agent (SA) [REDACTED], SA [REDACTED], Senior Assistant Special Counsel (SASC) Jeannie S. Rhee, SASC Andrew Goldstein, Assistant Special Counsel (ASC) Aaron Zelinsky, and FBI Intelligence Analyst [REDACTED]. ASC Rush Atkinson was present for portions of the interview. Prior to the interview, Corsi signed a proffer agreement, originally signed on 9/21/2018. After being advised of the purpose of the interview and identities of the interviewing agents, Corsi provided the following information:

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b7C

Corsi thanked the interviewing individuals for the opportunity to think about his testimony overnight and said he did a lot of soul searching. Corsi said he did not remember a lot of what had been shown to him the previous day and realized that the way he wanted to remember things was not actually how things happened. [REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

[REDACTED]

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7CInvestigation on 11/01/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date dictated 11/04/2018by [REDACTED]b7A  
b7E  
b6  
b7C

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FBI(19cv1278)-1409

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) . On 11/01/2018 . Page 2 of 11

b6  
b7A  
b7B per DOJ  
b7C

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b7A  
b7B per DOJ  
b7C

b6  
b7A  
b7B per DOJ  
b7C

b6  
b7A  
b7B per DOJ  
b7C

b6  
b7A  
b7B per DOJ  
b7C

FBI(19cv1278)-1410

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) . On 11/01/2018 . Page 3 of 11

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

Corsi said the Special Counsel's Office interview was the first time he came to terms with the truth. He had been lying to himself to believe his own cover story. Corsi apologized it had taken him so long to come to terms with the truth. He needed to admit to himself that he was lying.

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

Corsi first met Malloch in July 2015, when Malloch was thinking about publishing his memoirs. They spent two or three days together. Corsi thought Malloch had credentials, as he had worked at the State Department, in the United Nations, in Davos, and had other globalist affiliations. Malloch wanted to apply Christian values to business ethics and believed in sovereignty. Malloch relayed to Corsi his views on the evils of the EU and said he had connections to [REDACTED] before the summer of 2016. [REDACTED]

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b7C

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

FBI(19cv1278)-1411

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) . On 11/01/2018 . Page 4 of 11

b6  
b7A  
b7B per DOJ  
b7C

Corsi thought he suggested to some people at WND that he had a connection to Assange, but thought he was vague about, using terms like "word is" and "sources are." Corsi thought he suggested as much to [REDACTED] when he told him that he would go to London if WND bought him a ticket.

b6  
b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7C

Corsi did not want to state that Malloch had seen Assange, because Malloch may not have. Corsi had talked to [REDACTED] and others, all who were speculating about what WikiLeaks had, so when he said "word is" he was being intentionally vague because had had spoken to people that were smart about that sort of thing.

b6  
b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7C

FBI(19cv1278)-1412



Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) . On 11/01/2018 . Page 5 of 11

b6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7C

Corsi did not remember sending Malloch an email on August 16, 2016 about Putin.

Corsi published the August 31, 2016 memo on October 6, 2016. At that time, he still held himself out as the connection to WikiLeaks. The trigger for the release of the article was the publication of an article about [Paul] Manafort and [Viktor] Yanukovych. Corsi wanted to counter it with a story about Podesta, but he really wanted to provide stimulus to Assange to release whatever he had on Podesta. Corsi was angry with Assange for not releasing emails on October 4, 2016.

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b7A  
b7B per DOJ  
b7C

October 7, 2016 was a busy day for Corsi. He watched all day to see what Assange would do.

FBI(19cv1278)-1413

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) , On 11/01/2018 , Page 6 of 11

b6  
b7A  
b7B prt DOJ  
b7C

Corsi did not recall exactly when he learned about the Billy Bush tape, but was very sure it was before it was public. He remembered the line about Trump "grabbing by the genitals" and being shocked by it. When it came out publicly later that day, Corsi was not shocked by it because he expected it.

Corsi initially thought he told people on a WND conference call on October 7, 2016 that the Billy Bush tape was coming and that he sent out a tweet about whether anyone could get to Assange, but then reflected and said maybe he did nothing.

b6  
b7A  
b7B per DOJ  
b7C

Corsi thought [redacted] and Malloch were on that conference call and that he told them about the Billy Bush tape and it was a problem. Corsi thought he told Malloch to get to Assange if possible. [redacted]

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b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7C

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) . On 11/01/2018 . Page 7 of 11

Corsi did not have a specific memory of anything beyond the fact that he had advance knowledge of the Billy Bush tape, that he mentioned it on a conference call, [REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

[REDACTED] He did not have a clear memory he had told Malloch to get to Assange.

Corsi took credit for the WikiLeaks dump of Podesta information, but he did not deserve it. He remembered he clearly wanted to get credit for it

b6  
b7A  
b7B per DOJ  
b7C

[REDACTED]

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

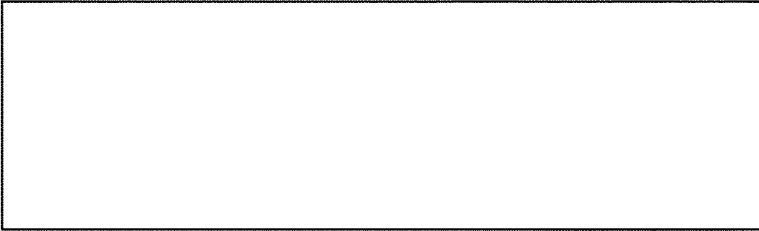
[REDACTED]

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b7A  
b7B per DOJ  
b7C

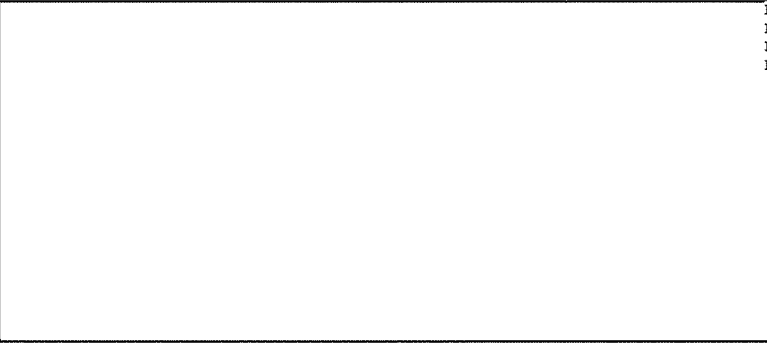
[REDACTED]

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b7A  
b7B per DOJ  
b7C


Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) , On 11/01/2018 , Page 8 of 11



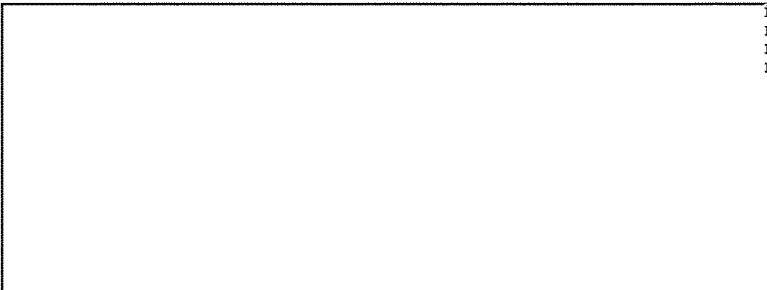
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b7B per DOJ  
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b7A  
b7B per DOJ  
b7C

Corsi did not recall any conversations about WikiLeaks, Stone, or Assange during a dinner he had on January 7, 2017 with Malloch and 

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b6  
b7A  
b7B per DOJ  
b7C

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) , On 11/01/2018 , Page 9 of 11

Corsi went through the "Blame Me!" article and said [REDACTED]

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b7A

b7B per DOJ

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[REDACTED] Paragraphs three through six were pulled from the Schweizer report. [REDACTED]

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b7B per DOJ

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b7B per DOJ

b7C

b6

b7A

b7B per DOJ

b7C

b6

b7A

b7B per DOJ

b7C

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) , On 11/01/2018 , Page 10 of 11

[REDACTED] b6  
b7A  
b7B per DOJ  
b7C

[REDACTED]

[REDACTED] b6  
b7A  
b7B per DOJ  
b7C  
In January, Corsi left WND and went to work at InfoWars, where he [REDACTED] Corsi to DCI, where he got a [REDACTED] At DCI, Corsi wrote articles either in his own name or for DCI to use however they wanted. He wrote about Fannie Mae, Freddie Mac, and other various policy issues. Corsi thought [REDACTED] was a lot of money, but it was not hard work and did not take a lot of time. The number of articles he wrote a month varied from zero to one per day. He also wrote opinion pieces that were published in someone else's name.

[REDACTED] b6  
b7A  
b7B per DOJ  
b7C  
[REDACTED]

[REDACTED] It never occurred to Corsi on his own to work for Alex Jones. Stone told Corsi that WND was not big enough for him and he should work for Jones, who had a bigger audience. InfoWars also paid more than WND. Corsi wrote three articles a week or so, and did some broadcasts. [REDACTED]

Corsi recalled that as the election cycle was wearing down, Malloch made a contact in Turkey and wanted to deliver a lobbying contract to DCI. Corsi would have worked on the contract with him, but it did not work out.

Corsi was still working for InfoWars (as of the interview) but was not paid by InfoWars directly. He did very little for InfoWars but still got [REDACTED] He had recently discussed the terms with InfoWars and talked about several new projects.

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FBI(19cv1278)-1418

Continuation of FD-302 of (U) Interview of Jerome Corsi (11.01.18) . On 11/01/2018 . Page 11 of 11

Corsi stopped working for DCI in March or April 2018.

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b7B per DOJ

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b7B per DOJ

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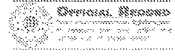
b7A

b7B per DOJ

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Administrative: The interview notes and documents shown to Corsi will be maintained in the 1A section of the case file.

## FEDERAL BUREAU OF INVESTIGATION

b7A  
b7EDate of entry 11/07/2018

Jerome Corsi, date of birth (DOB) [REDACTED] was interviewed at the Special Counsel's Office, located at 395 E Street SW, Washington, D.C., in the presence of his attorney, [REDACTED]. Present were FBI Special Agent [REDACTED], Senior Assistant Special Counsel Jeannie S. Rhee, Assistant Special Counsel Aaron Zellinsky, and FBI Intelligence Analyst [REDACTED]. Prior to the interview, Corsi signed a proffer agreement, originally signed on 9/21/2018. After being advised of the purpose of the interview and identity of the interviewing agent, Corsi provided the following information:

b6  
b7C

[REDACTED]

b6  
b7A  
b7B per DOJ  
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[REDACTED]

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b7A  
b7B per DOJ  
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[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7CInvestigation on 11/02/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date drafted 11/04/2018by [REDACTED]b6  
b7A  
b7C  
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FD-302a (Rev. 05-08-10)

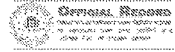
b7A  
b7E(U) Interview of Jerome Corsi  
(11.02.2018)

Continuation of FD-302 of . On 11/02/2018 . Page 2 of 2

b6  
b7A  
b7B per DOJ  
b7C

**Administrative:** The original interviewing notes will be maintained in the 1A section of the case file, along with the signed proffer agreement.

FBI(19cv1278)-1421

b7A  
b7EUNCLASSIFIED//~~FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 10/29/2018

Jerome Corsi, date of birth (DOB) [REDACTED] was interviewed at the Special Counsel's Office, located at 395 E Street, SW, Washington, D.C. Also present during the interview were Corsi's attorney [REDACTED] Assistant Special Counsel (ASC) Aaron Zelinsky, Senior Assistant Special Counsel (SASC) Jeannie Rhee, SASC Andrew Goldstein, FBI Special Agents [REDACTED] and [REDACTED], and FBI Intelligence Analyst [REDACTED]

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b7C

Corsi was advised his participation in the interview was voluntary and the interview could be terminated at any moment of his choosing.

Corsi was also advised that multiple Special Agents of the FBI were present in the interview and it was a crime to lie to them.

[REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

[REDACTED] Corsi thought Assange would know who Corsi was based on Corsi's writings. [REDACTED]

[REDACTED] Corsi said his conversations with Malloch usually took the form of Facetime calls because Malloch liked Facetime. Malloch and Corsi would sometimes communicate via phone calls, however. [REDACTED]

[REDACTED] Corsi did recall Malloch was reluctant to do it, but got the impression he would try. [REDACTED] Corsi did not recall Malloch ever providing information from Assange.

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[REDACTED]

UNCLASSIFIED//~~FOUO~~

Investigation on 09/17/2018 at Washington, District Of Columbia, United States (In Person)

File # [REDACTED] Date drafted 09/18/2018

by [REDACTED]

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b7A  
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FBI(19cv1278)-1422

UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Jerome Corsi 09/17

Continuation of FD-302 of /2018

. On 09/17/2018 . Page 2 of 3

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b7Cb6  
b7A  
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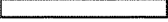
Corsi said many people were interested in Corsi getting in touch with Assange. Corsi advised he did not get to Assange directly.

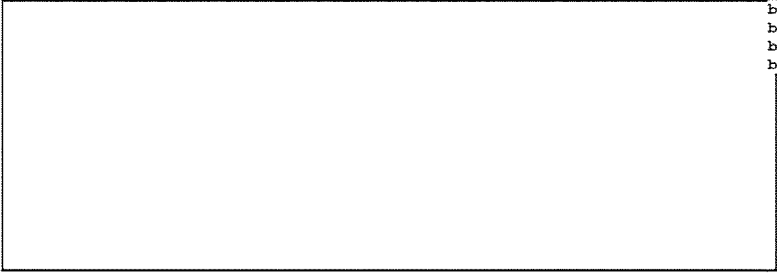
Corsi said his connections to the Donald Trump campaign included Kellyanne Conway and Stephen Miller. Corsi had known Conway from her time with the Council for National Policy (CNP) and Miller from Miller's time serving as an aide to Senator Jeff Sessions. Corsi said he would publish articles and send them to both the campaign and the White House. Corsi indicated he would often not receive a response to his emails.

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b7B per DOJ  
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b7B per DOJ  
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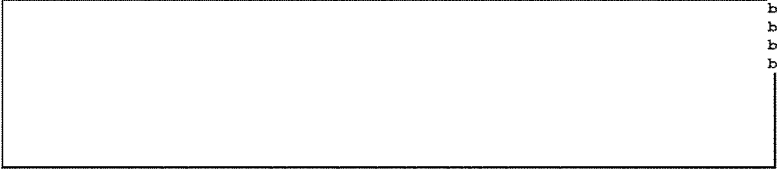
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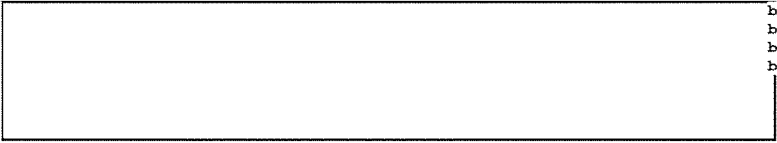
 (U//~~FOUO~~) Interview of Jerome Corsi 09/17  
Continuation of FD-302 of /2018 , On 09/17/2018 , Page 3 of 3



b6  
b7A  
b7B per DOJ  
b7C



b6  
b7A  
b7B per DOJ  
b7C



b6  
b7A  
b7B per DOJ  
b7C



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b7A  
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UNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1424

UNCLASSIFIED//~~FOUO~~

## FEDERAL BUREAU OF INVESTIGATION

Date of entry 10/29/2018b7A  
b7E

Jerome Corsi, date of birth (DOB) [REDACTED] was interviewed at the E. Barrett Prettyman United States Courthouse, located at 333 Constitution Avenue, NW, Washington, D.C., 20001. Also present during the interview were Corsi's attorney [REDACTED] Assistant Special Counsel (ASC) Aaron Zelinsky, Senior Assistant Special Counsel (SASC) Jeannie Rhee, SASC Andrew Goldstein, FBI Special Agent [REDACTED] and FBI Intelligence Analyst [REDACTED]. After being advised of the purpose of the interview and identity of the interviewing agent, Corsi provided the following information:

b6  
b7C

Corsi was advised his participation in the interview was voluntary and he could terminate the interview at any time. Corsi was further advised that intentionally providing false statements to FBI Agents was a violation of federal law.

Corsi confirmed his statements from a previous interview conducted on 09/17/2018 [REDACTED]

b6  
b7A  
b7B per DOJ  
b7C

Corsi said, as of August 2016, he had watched and seen Podesta for a long time. Corsi thought WikiLeaks would release Podesta's emails serially in order to continually feed the news cycle, as opposed to dropping all the information at once. Corsi also thought Julian Assange (Assange) would design the release of Podesta's emails to be an "October surprise."

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b7A  
b7B per DOJ  
b7CUNCLASSIFIED//~~FOUO~~Investigation on 09/21/2018 at Washington, District Of Columbia, United States (In Person)b7A  
b7EFile # [REDACTED] Date drafted 09/21/2018b6  
b7Cby [REDACTED]

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UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Jerome Corsi 09/21

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b6  
b7A  
b7B per DOJ  
b7C

Corsi said after Assange did not release the Podesta emails on the date expected in October 2016, Corsi was disappointed. Corsi thought he may have posted a tweet saying something akin to "what's the drumbeat for nothing?" Corsi was still confident Assange had the information despite the delay.

Corsi recalled the day the Billy Bush tape was announced, WikiLeaks also began dropping Podesta's emails.

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b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7CUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1426

UNCLASSIFIED//~~FOUO~~

[redacted]  
(U//~~FOUO~~) Interview of Jerome Corsi 09/21  
Continuation of FD-302 of /2018 , On 09/21/2018 , Page 3 of 8

[Agent Note: At approximately 10:50 AM, attorney's from the SCO entered  
into a verbal proffer agreement with Corsi and [redacted]

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b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7CTed Mallochb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7CUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1427

UNCLASSIFIED//~~FOUO~~

(U//~~FOUO~~) Interview of Jerome Corsi 09/21  
 Continuation of FD-302 of /2018 , On 09/21/2018 , Page 4 of 8

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b7A  
b7B per DOJ  
b7C

b3  
b6  
b7A  
b7B per DOJ  
b7C

b3  
b6  
b7A  
b7B per DOJ  
b7C

b6  
b7A  
b7B per DOJ  
b7C

\*\* Agent Note: Restroom break \*\*

[redacted] Dinner [redacted]

b6  
b7C

Corsi was asked to describe his relationship with [redacted]  
 [redacted]. Corsi described [redacted] as a crook, but admitted he had no  
 basis for saying that. Corsi confirmed he was in attendance at a dinner  
 with [redacted] in New York on [redacted]. Corsi described the food as "B  
 quality at best." Corsi said the dinner party included Corsi, Malloch, and  
 [redacted]

UNCLASSIFIED//~~FOUO~~

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UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Jerome Corsi 09/21

Continuation of FD-302 of /2018 . On 09/21/2018 . Page 5 of 8

Corsi said [redacted] wanted to [redacted]

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b7C

[redacted] (EU). [redacted] was representing that Corsi could make a lot of money if he were to also come along, however, Corsi thought the offer was nonsense and was therefore not interested. Corsi said the offer felt like a "con-job" and got the impression Malloch was in on it.

Corsi was advised that after the dinner, [redacted]

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b7A  
b7B per DOJ  
b7C

[redacted] Corsi said [redacted]

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b7A  
b7B per DOJ  
b7C

\*\* Agent Note: At this time, (2) identical written proffer agreements were executed, a digital copy of which is included in a digital 1A \*\*

[redacted]

Corsi was asked about his relationship with [redacted] Corsi described [redacted] Corsi did not recall how long he has known [redacted] or how they were introduced. Corsi added he has never met [redacted] in person. Corsi advised [redacted] sends him [redacted]

[redacted] Corsi said his (Corsi's) Russian language ability is "pretty primitive" and is often assisted by 'Google translate' when reading Russian text. Corsi said [redacted] sometimes contacts him [redacted]

[redacted]

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Corsi said many people contact him and he doesn't always know who they are. Corsi said it's as if [redacted] has taken the [redacted]

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FBI(19cv1278)-1429

UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Jerome Corsi 09/21

Continuation of FD-302 of /2018 . On 09/21/2018 . Page 6 of 8

b6  
b7A  
b7C  
b7EOctober 7, 2016b6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7C

Because Corsi had no direct access to Assange or WikiLeaks, Corsi said he may have sent out public tweets because Corsi knew Assange was reading his tweets.

\*\* Agent Note:

\*\*

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b7E

Corsi said after 10/03/2016, Corsi was blasting Assange on Twitter saying how the absence of an expected release was a "big letdown." Corsi said the intent of his tweets was to communicate to Assange to drop the emails immediately, intimating "now is the time."

Corsi was asked what other action he took to initiate the release of WikiLeaks material on 10/07/2016. Corsi said there was a daily 1:00 PM EST conference call at WorldNetDaily (WND) to talk about the news of the day. The WND daily call was often attended by

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b7CUNCLASSIFIED//~~FOUO~~

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b7A  
b7EUNCLASSIFIED//~~FOUO~~

(U//~~FOUO~~) Interview of Jerome Corsi 09/21  
Continuation of FD-302 of /2018 . On 09/21/2018 . Page 7 of 8

[REDACTED] Corsi said sometimes various WND  
writers would attend the conference call.

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b7C

Corsi said on 10/07/2016, on the conference call, and because Corsi had no direct means to get to Assange, Corsi instructed anyone who could reach Assange should get to him immediately. Corsi said the pressure was enormous and recalled telling the board the tape was coming soon.

Corsi did not recall anyone telling him they successfully communicated with Assange subsequent to the conference call. Corsi was convinced, however, it was through his efforts that WikiLeaks released Podesta's emails when they did. [REDACTED]

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b7B per DOJ  
b7C

[REDACTED] Corsi said [REDACTED] called him the night prior to the captioned interview. [REDACTED] has called Corsi multiple times since Corsi [REDACTED] [REDACTED] Corsi has told [REDACTED] he would [REDACTED] [REDACTED] indicated to Corsi that a report has been given to Trump regarding what Corsi had been doing. Corsi said [REDACTED] has a meeting with Trump for approximately 15 minutes every Monday/Tuesday. Corsi does not know if this is true.

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b3

[REDACTED] told Corsi to remember [REDACTED] talks to Assange. Corsi said [REDACTED] was feeding him an excuse to use with investigators. [REDACTED]

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b7B per DOJ  
b7Cb3  
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b7A per DOJ  
b7B  
b7C  
b7EUNCLASSIFIED//~~FOUO~~

FBI(19cv1278)-1431

UNCLASSIFIED//~~FOUO~~(U//~~FOUO~~) Interview of Jerome Corsi 09/21

Continuation of FD-302 of /2018 . On 09/21/2018 . Page 8 of 8

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b7A  
b7B per DOJ  
b7Cb3  
b6  
b7A  
b7B per DOJ  
b7C

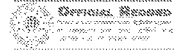
Corsi advised his wife recently said that in 27 years of marriage,  
Corsi has never lied to her.

Corsi said he and Trump have had a cordial relationship over time.

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FBI(19cv1278)-1432

## FEDERAL BUREAU OF INVESTIGATION

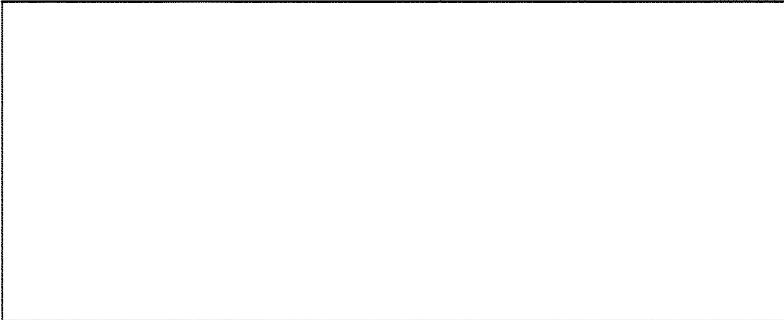
b7A  
b7EDate of entry 10/29/2018

Jerome Robert Corsi, date of birth (DOB) [REDACTED], social security account number [REDACTED], was interviewed at the Special Counsel's Office, 395 E Street SW, Washington DC 20024. Corsi was accompanied by his attorney, [REDACTED]

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[REDACTED] Present during the interview was FBI Special Agent (SA) [REDACTED] FBI SA [REDACTED] FBI Intelligence Analyst (IA) [REDACTED] Assistant Special Counsel, Aaron Zelinsky, Senior Assistant Special Counsel, Andrew D. Goldstein, and Senior Assistant Special Counsel Jeannie Rhee.

Prior to the interview, [REDACTED] asked if the Special Counsel's Office planned to record the interview. [REDACTED] was advised it would not be recorded and [REDACTED] inquired as to whether or not he could record the interview. [REDACTED] was advised that he could not and that all electronic devices needed to be placed outside of the interview location for security purposes. SA [REDACTED] then inquired as to whether or not [REDACTED] and/or Corsi had recorded the conversation in SA [REDACTED] Bucar, during the transport of Corsi from The Mayflower hotel to the Special Counsel's Office. Both [REDACTED] and Corsi denied recording the conversation and stated that they would have needed to have asked SA [REDACTED] for permission prior to doing so.

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b7Cb6  
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b7C  
b7EInvestigation on 09/06/2018 at Washington, District Of Columbia, United States (In Person)File # [REDACTED] Date dictated 09/11/2018by [REDACTED]b7A  
b7Eb6  
b7C

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[REDACTED]

[REDACTED]

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(U) Interview of Jerome Corsi on 09/06

Continuation of FD-302 of /2018. . On 09/06/2018 . Page 2 of 7

[REDACTED]

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b7C  
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Corsi was advised the interview was entirely voluntary and that he could discontinue it or take a break to speak with his attorney at any time. Corsi was further advised that intentional false statements during this interview would be a violation of federal law. After being advised of the identities of the interviewing Agents, Corsi provided the following information:

Corsi began by providing a brief description of his background. Corsi worked for WorldNetDaily (WND) from approximately 2004 to 2017. Corsi quit working for WND shortly after the election, at the encouragement of [REDACTED]. [REDACTED] told Corsi that WND was not visible enough and that Corsi should go to work for [REDACTED] Infowars instead. [REDACTED] believed [REDACTED] had a much more visible platform with videos and a strong Internet presence. Corsi continues to work for Infowars and they still pay him. Corsi initially started at Infowars as the Washington Bureau Chief and had an office near the Metro Center.

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b7A  
b7B per DOJ  
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Shortly after joining Infowars, Corsi sought to obtain press credentials for the White House. He ultimately received them, but only for a day. Corsi tried to visit the White House after his first visit and was turned away at the West gate. A Secret Service Agent told Corsi that his credentials were no longer valid so he went to a coffee shop across the street and telephoned a subordinate at the White House. Corsi's contact advised him that Infowars was not recognized as an official news organization by the White House. Corsi believed it was a result of a previous interview that [REDACTED] did with Donald J. Trump. Corsi became frustrated because his former organization, WND, was also trying to get him press credentials at both the White House and Congress. Corsi would have received the credentials because WND was officially recognized as a news organization by the White House.

b6  
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Corsi first met Trump's father, Fred Trump, in 1985. Corsi had been working in the financial services sector at a company called Marketing One, based in Portland, Oregon. Corsi was a frequent visitor of The Plaza Hotel in New York and was virtually living out of one of their hotel rooms. Corsi was such a frequent guest that the hotel staff granted him a private dining table in the Edwardian Room. When Trump purchased The Plaza Hotel he often paid personal visits to the prominent guests, like Corsi. That is how Corsi initially met Trump and Corsi has remained in contact

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(U) Interview of Jerome Corsi on 09/06  
/2018.

Continuation of FD-302 of \_\_\_\_\_ . On 09/06/2018 . Page 3 of 7

with him ever since. Trump always treated Corsi as a paying customer and the two have maintained a business-like relationship with one another over the years.

In 2008, Corsi started the "birth certificate issue," which was a conspiracy theory alleging that Barack Obama was ineligible to be President of the United States because he was not a natural born citizen of the United States as required by law. Corsi had been working to publish a book entitled, "Where is the Birth Certificate," when Trump became interested in the topic. Trump often called Corsi to speak about the birth certificate issue. Corsi described his conversations with Trump as being one-sided, where Trump would often ask Corsi for his opinion and once Corsi began to speak, Trump would cut him off and tell Corsi what he thought about the topic. Corsi often left the phone calls feeling as if he had said a lot, but said nothing at all. Corsi remembered having approximately six phone calls with Trump about the birth certificate issue. Corsi was in Florida when Obama publicly released his birth certificate. Corsi received a call from [REDACTED] who told Corsi he better put the television on. Shortly after, Corsi got a phone call from Trump. Trump told Corsi he saw the birth certificate and that he was finished with the topic. Corsi did not hear from Trump again about that issue.

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b7C

In June 2016, Corsi visited the campaign headquarters at Trump Tower in New York. He visited the office on the 7th floor, which was tiny and completely empty. Corsi saw Corey Lewandowski and Hope Hicks there but did not see or interact with Trump. Corsi tried to engage Lewandowski in conversation but Lewandowski had his head buried in a computer and only made short verbal acknowledgments to Corsi such as, "uh huh." Corsi was introduced to one of the assistants at the campaign, a lady named, [REDACTED] Last Name Unknown (LNU). [Agent Note: Corsi used the name [REDACTED] LNU but this individual may be identifiable to Rhona Graff.] [REDACTED] LNU took Corsi to buy a Make America Great Again (MAGA) hat and then took him to see to Michael Cohen.

b6  
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Corsi rarely engaged with Trump directly and relayed messages to Trump through Cohen. Corsi could call Cohen for anything but Cohen was often "disconnected" and Corsi's messages to Trump were sometimes relayed and sometimes they were not. Cohen's desk was full of memorabilia, documents, papers, and junk. Corsi described Cohen as a "casino guy" who often dealt with matters haphazardly, only to get pulled into a separate conversation by the next person who entered the room.

Corsi described the first time he met Cohen. [REDACTED] took Corsi to Cohen's office and Cohen immediately invited him in. Cohen was in the

b6  
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(U) Interview of Jerome Corsi on 09/06

Continuation of FD-302 of /2018. , On 09/06/2018 , Page 4 of 7

middle of a conversation with another man in his office and Corsi felt as if the other man was annoyed because he had interrupted their conversation. Shortly thereafter, Cohen received a phone call from a representative from the New York Yankees. Cohen took the phone call and spoke loudly to the representative, in front of both Corsi and the other man. A short time later, another individual came into Cohen's office and pressed Cohen to sign some papers that urgently needed to be completed. Cohen did so and then looked at Corsi and said, "let's go meet some people." Cohen then took Corsi around the office to meet everyone. Corsi felt as if Cohen was unable to focus on anything.

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b7Eb6  
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b7A  
b7B per DOJ  
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(U) Interview of Jerome Corsi on 09/06

Continuation of FD-302 of /2018. . On 09/06/2018 . Page 5 of 7

b6  
b7A  
b7B per DOJ  
b7C

Around the same time, Corsi told Sam Clovis about Malloch. Clovis was being ignored by the campaign and his foreign policy team was failing. Corsi never met with Clovis in person, but Clovis knew of Corsi's work.

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b7B per DOJ  
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b7B per DOJ  
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(U) Interview of Jerome Corsi on 09/06

Continuation of FD-302 of /2018.

. On 09/06/2018 . Page 6 of 7

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b7B per DOJ  
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b7B per DOJ  
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b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
b7A  
b7B per DOJ  
b7Cb6  
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b7B per DOJ  
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At the conclusion of this interview, Corsi and his attorney were driven back to The Mayflower in SA [redacted] Bucar. During the transport, Corsi made several statements to SA [redacted].

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b7A  
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(U) Interview of Jerome Corsi on 09/06

Continuation of FD-302 of /2018. . On 09/06/2018 . Page 7 of 7

[REDACTED]

The following items have been enclosed for the file as digital 1A attachments to this FD-302: 1) One copy of hand-written notes provided by Corsi; [REDACTED]

[REDACTED]

[REDACTED]

b6  
b7A  
b7C  
b7E

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
3		4/11/2014
3		6/9/2014
8	Gates, Richard	7/2/2014
7	Manafort, Paul J.	7/30/2014
4		8/2/2016
2		8/5/2016
4		8/17/2016
2		9/26/2016
2		10/4/2016
3	Ohr, Bruce	11/22/2016
2	Ohr, Bruce	12/5/2016
3	Ohr, Bruce	12/12/2016
2	Baker, James	12/19/2016
1	Ohr, Bruce	12/20/2016
18	Priebus, Reinhold	1/18/2017
11	Flynn, Michael T.	1/19/2017
2	Ohr, Bruce	1/23/2017
5	Flynn, Michael	1/24/2017
1	Ohr, Bruce	1/25/2017
1	Ohr, Bruce	1/27/2017
1	Papadopoulos, George Demetrios	1/27/2017
26	Hunt, Joseph "Jody"	2/1/2017
4	Papadopoulos, George Demetrios	2/1/2017
1	Papadopoulos, George Demetrios	2/1/2017
3	Papadopoulos, George Demetrios	2/2/2017
2	Ohr, Bruce	2/6/2017
2	Eisenberg, John	2/7/2017
4	Papadopoulos, George	2/10/2017
2		2/11/2017
1		2/13/2017
2	Ohr, Bruce	2/14/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
3		2/16/2017
2		2/17/2017
3		2/24/2017
2		3/3/2017
7	McGahn, Donald	3/8/2017
2	Page, Carter	3/9/2017
1	Page, Carter	3/9/2017
5	Page, Carter	3/10/2017
1	Page, Carter	3/10/2017
1	Page, Carter	3/11/2017
1	Page, Carter	3/15/2017
5	Page, Carter	3/16/2017
1	Page, Carter	3/21/2017
2	Ohr, Bruce	3/27/2017
2		3/28/2017
11	Page, Carter	3/30/2017
3	Page, Carter	3/31/2017
2		4/12/2017
2		4/18/2017
1		4/18/2017
2		4/25/2017
1		5/2/2017
1		5/2/2017
1		5/2/2017
1		5/3/2017
2		5/3/2017
2	Ohr, Bruce	5/8/2017
4		5/10/2017
2		5/11/2017
2		5/11/2017
1		5/11/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
2		5/11/2017
2		5/11/2017
1	Ohr, Bruce	5/12/2017
1	Ohr, Bruce	5/15/2017
1	Ohr, Bruce	5/15/2017
3	Papadopoulos, Georgios	5/16/2017
2		5/19/2017
4		5/23/2017
11	Rosenstein, Rod	5/23/2017
1	Schools, Scott N.	5/23/2017
12		5/24/2017
1		5/26/2017
3	Hoff, Rachel	5/26/2017
3	Hoff, Rachel Mary	5/26/2017
3		5/26/2017
1		5/26/2017
1		5/30/2017
1		5/31/2017
8	Weber, Yuval	6/1/2017
1		6/6/2017
2		6/6/2017
2	Comey, James	6/7/2017
1	Denman, Diana Destine	6/7/2017
4	Denman, Diana Destine	6/7/2017
3		6/8/2017
4	Klimentov, Denis	6/9/2017
8	Rybicki, James	6/9/2017
9	Rogers, Michael	6/12/2017
2		6/12/2017
5	Ledgett, Richard	6/13/2017
4		6/13/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
3	Rybicki, James	6/13/2017
2		6/14/2017
1		6/14/2017
4		6/14/2017
5	Coats, Daniel	6/14/2017
4	Culver, John	6/14/2017
4	Dempsey, Mike	6/14/2017
4	Gistaro, Edward "Ted"	6/14/2017
3		6/14/2017
1	Page, Carter	6/15/2017
2		6/16/2017
2		6/17/2017
	Lewandowski, Corey	6/19/2017
1		6/19/2017
7		6/22/2017
3	Rybicki, James	6/22/2017
2		6/23/2017
12		6/23/2017
5		6/26/2017
3		6/27/2017
7		6/27/2017
6		6/27/2017
3		6/28/2017
3	Pompeo, Michael	6/28/2017
2		6/29/2017
1		6/30/2017
5		7/6/2017
1		7/7/2017
8		7/7/2017
1		7/10/2017
1		7/10/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		7/11/2017
8	Samochornov, Anatoli	7/12/2017
2	York, Eric	7/12/2017
3		7/13/2017
5	Samochornov, Anatoli	7/13/2017
1		7/13/2017
2	York, Eric	7/13/2017
1		7/14/2017
2		7/14/2017
12	McCord, Mary	7/17/2017
1		7/17/2017
2		7/18/2017
6		7/19/2017
5	Strzok, Peter	7/19/2017
8	Axelrod, Matt	7/20/2017
3		7/20/2017
3		7/21/2017
1		7/21/2017
1		7/21/2017
1		7/21/2017
1		7/24/2017
2		7/24/2017
1		7/27/2017
3		7/27/2017
10		7/27/2017
2	Papadopoulos, Antonios	7/27/2017
8		7/28/2017
8	Weber, Shlomo	7/28/2017
2		7/31/2017
2		7/31/2017
2		7/31/2017



SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
2		7/31/2017
2		8/1/2017
1		8/1/2017
1		8/2/2017
1		8/2/2017
1		8/2/2017
11		8/2/2017
2		8/3/2017
1		8/4/2017
1		8/7/2017
6		8/7/2017
1	Rybicki, James	8/7/2017
1		8/8/2017
1		8/8/2017
4		8/10/2017
8	Papadopoulos, George	8/10/2017
2		8/11/2017
9		8/11/2017
11	Papadopoulos, George	8/11/2017
1		8/14/2017
1		8/15/2017
2		8/15/2017
1		8/15/2017
1		8/15/2017
6		8/15/2017
1		8/16/2017
1		8/16/2017
12		8/16/2017
1		8/16/2017
1		8/16/2017
2		8/16/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		8/16/2017
7		8/16/2017
16	McCabe, Andrew	8/17/2017
9		8/18/2017
4		8/18/2017
1		8/21/2017
1		8/21/2017
1		8/21/2017
5		8/22/2017
3		8/22/2017
8	Tait, Matthew	8/22/2017
8		8/23/2017
2		8/24/2017
1		8/24/2017
2		8/25/2017
2		8/28/2017
2		8/28/2017
4		8/28/2017
2		8/29/2017
2		8/29/2017
5		8/29/2017
15	Gordon, Jeffrey Duane	8/29/2017
11	McFarland, Kathleen	8/29/2017
11	McFarland, Kathleen Troia "K.T."	8/29/2017
2		8/30/2017
1		8/31/2017
1		8/31/2017
3	Gribbin, Alamanda	8/31/2017
1		8/31/2017
14	Miller, Jason	8/31/2017
14	Miller, Jason James	8/31/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
	Miller, Stephen	8/31/2017
4		9/1/2017
3		9/5/2017
2		9/6/2017
14	Gordon, Jeffrey Duane	9/7/2017
7		9/7/2017
2		9/7/2017
18		9/7/2017
7		9/8/2017
10		9/11/2017
1		9/12/2017
3	Carafano, James Jay	9/12/2017
7		9/12/2017
4		9/12/2017
12		9/12/2017
8	Laufman, David	9/12/2017
1		9/12/2017
8		9/12/2017
3		9/12/2017
2		9/14/2017
3		9/14/2017
3	Hoskins, James M. Jr.	9/14/2017
1		9/14/2017
7	McFarland, Kathleen Troia "K.T."	9/14/2017
10		9/14/2017
11		9/15/2017
12	Yates, Sally	9/15/2017
2		9/18/2017
2		9/18/2017
2		9/19/2017
2		9/19/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
22	Papadopoulos, George	9/19/2017
8	Sater, Felix	9/19/2017
2		9/20/2017
2		9/20/2017
3		9/20/2017
4	Papadopoulos, George	9/20/2017
9		9/21/2017
2		9/21/2017
1		9/21/2017
9		9/22/2017
8		9/22/2017
1		9/22/2017
1		9/25/2017
5		9/25/2017
12	Shugart, Paula	9/25/2017
1		9/25/2017
18	McCabe, Andrew	9/26/2017
2		9/26/2017
6		9/26/2017
9		9/26/2017
4		9/26/2017
4		9/26/2017
14		9/28/2017
3		9/29/2017
22		9/29/2017
1		10/2/2017
1		10/2/2017
5		10/2/2017
1		10/3/2017
12	Clovis, Samuel Harvey Jr.	10/3/2017
5	Clovis, Samuel Harvey Jr.	10/3/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
23		10/3/2017
2		10/3/2017
2		10/4/2017
6		10/4/2017
1		10/5/2017
12		10/5/2017
2		10/5/2017
6		10/5/2017
7		10/6/2017
1		10/6/2017
2	Papadopoulos, George D.	10/6/2017
2		10/6/2017
1		10/10/2017
1		10/10/2017
1	Page, Carter	10/10/2017
3		10/10/2017
2		10/10/2017
4		10/10/2017
1		10/11/2017
1		10/11/2017
4		10/12/2017
2		10/12/2017
1	Brown, Cantrell	10/13/2017
14		10/13/2017
1		10/13/2017
30	Priebus, Reinhold	10/13/2017
2		10/16/2017
17	Spicer, Sean	10/16/2017
12	Spicer, Sean	10/16/2017
1		10/16/2017
1		10/17/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
6	McFarland, Kathleen Troia "K.T."	10/17/2017
	Spicer, Sean	10/17/2017
3		10/18/2017
4		10/18/2017
5		10/19/2017
16		10/19/2017
3		10/19/2017
2	McFarland, K.T.	10/19/2017
1		10/19/2017
2		10/20/2017
1		10/20/2017
1		10/20/2017
1		10/20/2017
13		10/23/2017
2		10/23/2017
1	Kushner, Jared Corey	10/24/2017
2		10/24/2017
1		10/25/2017
5	Miller, Matthew	10/25/2017
7		10/25/2017
8	Clovis, Samuel Harvey Jr.	10/26/2017
1		10/26/2017
10		10/26/2017
3		10/29/2017
2		10/31/2017
12		10/31/2017
3		10/31/2017
5	Laufman, David	10/31/2017
14	Miller, Stephen	10/31/2017
1		10/31/2017
5		11/1/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
2		11/1/2017
5	Kushner, Jared Corey	11/1/2017
2		11/1/2017
2		11/1/2017
5		11/1/2017
4		11/2/2017
13		11/2/2017
3		11/2/2017
23	Burnham, James	11/3/2017
1	McFarland, K.T. & McFarland, Alan	11/3/2017
2		11/3/2017
3		11/3/2017
25	van der Zwaan, Alex	11/3/2017
30	Donaldson, Annie	11/6/2017
2		11/6/2017
3	Papadopoulos, George D.	11/7/2017
17	Lewandowski, Corey	11/8/2017
2		11/8/2017
9		11/8/2017
9		11/9/2017
1		11/9/2017
1		11/13/2017
18	Akhmetshin, Rinat	11/14/2017
11		11/14/2017
5		11/14/2017
6		11/15/2017
6		11/15/2017
25	Comey, James	11/15/2017
2		11/16/2017
2		11/16/2017
15	Flynn, Michael T.	11/16/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
12	Kaveladze, Ike Thomas	11/16/2017
11	Flynn, Michael T.	11/17/2017
11		11/17/2017
9		11/17/2017
2	Page, Carter	11/17/2017
4		11/17/2017
4		11/20/2017
7	Flynn, Michael T.	11/20/2017
13		11/20/2017
13	Dhillon, Uttam	11/21/2017
8		11/21/2017
1		11/21/2017
10	Flynn, Michael T.	11/21/2017
19	McFarland, Kathleen	11/22/2017
1	York, Eric	11/22/2017
10	Dearborn, Rick	11/28/2017
12		11/28/2017
19		11/28/2017
2		11/28/2017
7		11/29/2017
1		11/29/2017
1		11/29/2017
16	Eisenberg, John	11/29/2017
10	Flynn, Michael T.	11/29/2017
1		11/29/2017
1		11/29/2017
7		11/30/2017
19	McGahn, Donald	11/30/2017
3		11/30/2017
4		12/1/2017
16		12/1/2017



SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		12/2/2017
21		12/4/2017
5	Denman, Diana Destine	12/4/2017
13		12/4/2017
12		12/4/2017
1		12/5/2017
6		12/5/2017
7		12/5/2017
2	McFarland, K.T. & McFarland, Alan	12/5/2017
5		12/5/2017
1		12/5/2017
1		12/6/2017
2		12/6/2017
2		12/6/2017
1		12/6/2017
2		12/6/2017
1		12/6/2017
1		12/6/2017
1		12/6/2017
9		12/7/2017
28	Hicks, Hope	12/7/2017
28	Hicks, Hope	12/7/2017
11		12/7/2017
9		12/7/2017
23	Hicks, Hope	12/8/2017
2		12/8/2017
1		12/9/2017
19	Barrack, Thomas J.	12/12/2017
1		12/12/2017
18	McGahn, Donald	12/12/2017
7		12/13/2017

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
9		12/13/2017
9	Lieberman, Edward H.	12/13/2017
10		12/13/2017
2		12/14/2017
2		12/14/2017
1		12/14/2017
15	McGahn, Donald	12/14/2017
15	Miller, Stephen	12/14/2017
15	Miller, Stephen	12/14/2017
7	Sater, Felix	12/15/2017
12		12/20/2017
5		12/20/2017
1		12/20/2017
10		12/20/2017
5		12/20/2017
10		12/21/2017
6		12/21/2017
12		12/22/2017
5		1/3/2018
5	Beniaminov, Roman	1/6/2018
2		1/8/2018
1		1/8/2018
9		1/8/2018
12		1/8/2018
7		1/9/2018
14	Hawker, Jonathan	1/9/2018
1	Hawker, Jonathan	1/9/2018
10	Khalilzad, Zalmay	1/9/2018
4		1/10/2018
1		1/10/2018
7	Flynn, Michael T.	1/11/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		1/11/2018
1		1/11/2018
10	Berkowitz, Avrahm	1/12/2018
10	Berkowitz, Avrahm	1/12/2018
1		1/13/2018
5		1/17/2018
2	Nader, George	1/17/2018
2	Nader, George	1/17/2018
2		1/17/2018
25	Sessions, Jefferson	1/17/2018
25	Sessions, Jefferson Beauregard III	1/17/2018
6		1/18/2018
2		1/18/2018
1	Nader, George	1/18/2018
15	Nader, George	1/19/2018
4		1/19/2018
10		1/20/2018
1		1/22/2018
19	Nader, George	1/22/2018
13	Nader, George	1/23/2018
5		1/23/2018
6	Boyd, Charles	1/24/2018
6	Flynn, Michael T.	1/24/2018
5		1/24/2018
1		1/24/2018
1		1/24/2018
4	Rozov, Andrey	1/25/2018
5	Zakheim, Dov	1/25/2018
22	Gates, Richard William III	1/29/2018
1	Gates, Rick	1/29/2018
16	Gates, Richard William III	1/30/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1	Gates, Rick	1/30/2018
2		1/30/2018
3	Lenzi, Mark	1/30/2018
7	Luff, Sandra	1/30/2018
8		1/30/2018
11	Boente, Dana	1/31/2018
21	Gates, Richard William III	1/31/2018
1	Gates, Rick	1/31/2018
1		1/31/2018
1		2/1/2018
15		2/1/2018
23	Gates, Richard William III	2/1/2018
1	Gates, Rick	2/1/2018
10	Heilbrunn, Jacob	2/1/2018
2		2/1/2018
16	Gates, Richard William III	2/2/2018
1	Gates, Rick	2/2/2018
1		2/2/2018
1		2/3/2018
2		2/4/2018
13		2/5/2018
7		2/5/2018
1		2/5/2018
1		2/6/2018
6		2/6/2018
1		2/6/2018
5		2/6/2018
15	Gates, Richard William III	2/7/2018
1	Gates, Rick	2/7/2018
18	Davis, Richard Hannah	2/8/2018
1	Davis, Richard Hannah	2/8/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
3		2/8/2018
14	Goldstone, Robert	2/8/2018
19	Raffel, Josh	2/8/2018
19		2/8/2018
12	Burt, Richard	2/9/2018
12	Gates, Richard William III	2/9/2018
5		2/9/2018
26	Bannon, Stephen K.	2/12/2018
20	Gates, Richard William III	2/12/2018
15	Gates, Richard William III	2/12/2018
15	Gates, Richard William III	2/12/2018
1	Gates, Rick	2/12/2018
1	Gates, Rick	2/12/2018
8		2/13/2018
37	Bannon, Stephen K.	2/14/2018
11	Corallo, Mark	2/15/2018
15		2/15/2018
	Sanders, P.	2/15/2018
31	Saunders, Paul	2/15/2018
1		2/16/2018
1		2/16/2018
18		2/19/2018
8		2/20/2018
1		2/21/2018
5		2/21/2018
1		2/21/2018
2	Gates, Richard William III	2/22/2018
7		2/22/2018
1		2/22/2018
1		2/23/2018
4		2/26/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
17	Gates, Richard William III	2/27/2018
1	Gates, Rick	2/27/2018
8	Landrum, Lendwood	2/27/2018
11		2/27/2018
3		2/27/2018
3		2/27/2018
7	Gates, Richard William III	2/28/2018
2	Gates, Richard William III	2/28/2018
2	Counsel for Flynn	3/1/2018
2		3/1/2018
4	Gates, Richard William III	3/1/2018
1	Gates, Richard William III	3/1/2018
6		3/1/2018
1		3/6/2018
11		3/7/2018
11		3/8/2018
33	Simes, Dimitri	3/8/2018
1		3/9/2018
11	Gates, Richard William III	3/12/2018
18	Hicks, Hope	3/13/2018
9		3/15/2018
2	Gates, Richard William III	3/16/2018
5	Gates, Richard William III	3/18/2018
1	Gates, Rick	3/18/2018
6		3/19/2018
8	Gates, Richard William III	3/20/2018
3		3/20/2018
7	Safron	3/20/2018
4		3/20/2018
6		3/20/2018
7	Gates, Richard William III	3/21/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
13	Berkowitz, Avrahm	3/22/2018
13	Berkowitz, Avrahm	3/22/2018
5		3/22/2018
1		3/23/2018
8		3/23/2018
1		3/26/2018
2	Gates, Richard William III	3/27/2018
3		3/27/2018
1		3/27/2018
20	Simes, Dimitri	3/27/2018
1		3/29/2018
1		3/29/2018
8	Szobocsan, John	3/29/2018
3		3/30/2018
3	Nix, Steven	3/30/2018
10	Donaldson, Annie	4/2/2018
2		4/2/2018
3		4/2/2018
11	Prieus, Reinhold	4/3/2018
3		4/3/2018
12	Prince, Erik Dean	4/4/2018
14	Rtskhiladze, Giorgi	4/4/2018
12	Vargas, Catherine	4/4/2018
14		4/5/2018
8	Lewandowski, Corey	4/6/2018
3		4/9/2018
1	Gates, Richard	4/10/2018
1	Gates, Richard	4/10/2018
6	Gates, Richard William III	4/10/2018
1	Gates, Richard	4/11/2018
6	Gates, Richard William III	4/11/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
33	Kushner, Jared Corey	4/11/2018
33	Kushner, Jared Corey	4/11/2018
5		4/11/2018
31		4/12/2018
31		4/12/2018
1		4/12/2018
19	Porter, Robert	4/13/2018
1		4/16/2018
1	Gates, Richard William III	4/17/2018
3	Gates, Richard William III	4/17/2018
1	Gates, Richard	4/18/2018
5	Gates, Richard William III	4/18/2018
1		4/19/2018
1		4/19/2018
2		4/19/2018
2		4/19/2018
6		4/20/2018
2		4/24/2018
2		4/24/2018
10		4/24/2018
2		4/24/2018
5		4/25/2018
11	Flynn, Michael T.	4/25/2018
5		4/26/2018
1	Safran	4/26/2018
2		4/27/2018
2		4/27/2018
1		4/27/2018
3		4/29/2018
3	Gates, Richard	4/30/2018
12	Flynn, Michael T.	5/1/2018



SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1	Gates, Richard William III	5/1/2018
1		5/1/2018
8	Caputo, Michael	5/2/2018
2		5/2/2018
2		5/2/2018
1		5/3/2018
9		5/3/2018
1	Gates, Richard	5/3/2018
8		5/3/2018
5		5/3/2018
2		5/3/2018
10	Prince, Erik Dean	5/3/2018
1		5/4/2018
6	Flynn, Michael T.	5/4/2018
2	Gates, Richard William III	5/4/2018
1		5/4/2018
1		5/4/2018
4		5/7/2018
14		5/7/2018
10		5/8/2018
20	Porter, Robert	5/8/2018
6		5/9/2018
7		5/9/2018
4		5/10/2018
2		5/10/2018
2		5/10/2018
2		5/10/2018
4		5/10/2018
7	Rtskhiladze, Giorgi	5/10/2018
7	Rtskhiladze, Giorgi	5/10/2018
1		5/10/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
3		5/10/2018
2		5/11/2018
2	Gates, Richard William III	5/11/2018
2		5/11/2018
2		5/11/2018
2		5/11/2018
2		5/11/2018
1		5/11/2018
2		5/11/2018
2		5/11/2018
2		5/14/2018
3		5/14/2018
2		5/14/2018
4		5/16/2018
5		5/16/2018
2		5/16/2018
2		5/16/2018
3		5/17/2018
2		5/17/2018
2		5/17/2018
8		5/17/2018
6	Kalashnikova, Olga	5/17/2018
2		5/17/2018
6		5/17/2018
1		5/18/2018
12		5/18/2018
1		5/18/2018
3		5/18/2018
7		5/18/2018
3	Aven, Petr	5/20/2018
1		5/21/2018
14	Patten, Sam	5/22/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1	Patten, Sam	5/22/2018
2		5/22/2018
2		5/23/2018
5		5/23/2018
2	Gates, Richard William III	5/23/2018
1		5/23/2018
1		5/23/2018
4		5/23/2018
2		5/24/2018
3		5/25/2018
1		5/25/2018
3		5/27/2018
2		5/29/2018
3		5/29/2018
3		5/30/2018
1		5/30/2018
2		5/30/2018
1		5/30/2018
4	Podesta, John	5/30/2018
6		5/30/2018
4	Marinello, Beatriz	5/31/2018
4	Marinello, Beatriz M.	5/31/2018
11		5/31/2018
5		5/31/2018
2		5/31/2018
1		6/1/2018
2		6/2/2018
2		6/3/2018
1	Gates, Richard William III	6/4/2018
7		6/5/2018
2	Gates, Richard William III	6/5/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
6	Gerson, Richard M.	6/5/2018
6	Gerson, Richard M.	6/5/2018
4		6/6/2018
1		6/6/2018
8	Ruddy, Chris	6/6/2018
4		6/6/2018
10		6/7/2018
10		6/7/2018
1		6/7/2018
1		6/7/2018
4		6/7/2018
2	Gates, Richard William III	6/8/2018
8		6/8/2018
	Hawker, Jonathan	6/9/2018
1		6/11/2018
6		6/11/2018
1	Gates, Richard William III	6/12/2018
1		6/12/2018
2		6/12/2018
1	Gates, Richard William III	6/13/2018
2		6/13/2018
3		6/14/2018
5	Gerson, Richard M.	6/15/2018
5	Gerson, Richard M.	6/15/2018
3		6/15/2018
5	Dearborn, Rick	6/20/2018
1		6/20/2018
1		6/20/2018
1		6/25/2018
5	Mashburn, John	6/25/2018
1	Gates, Richard	6/26/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
10		6/26/2018
2		6/27/2018
6		6/29/2018
2		7/2/2018
11		7/2/2018
1	Gates, Richard	7/3/2018
1	Gates, Richard	7/3/2018
1		7/3/2018
2		7/3/2018
1	Gates, Rick	7/5/2018
4		7/6/2018
6	Devine, Thomas	7/6/2018
1	Devine, Thomas	7/6/2018
1	Gates, Rick	7/6/2018
1		7/6/2018
5		7/6/2018
1		7/9/2018
2		7/9/2018
1		7/9/2018
1		7/10/2018
1		7/10/2018
1		7/10/2018
2		7/10/2018
5		7/11/2018
1	Gates, Richard	7/11/2018
1		7/11/2018
2		7/11/2018
4		7/12/2018
2		7/12/2018
1		7/12/2018
1		7/13/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
3	Oknyansky, Henry	7/13/2018
8		7/13/2018
7		7/13/2018
2		7/13/2018
3		7/16/2018
1		7/17/2018
2		7/17/2018
1	Gates, Richard	7/18/2018
1		7/18/2018
10		7/18/2018
1		7/18/2018
6		7/19/2018
2		7/19/2018
10	Sanders, Sarah	7/23/2018
6		7/25/2018
3		7/26/2018
12		7/31/2018
11		8/1/2018
8	Aven, Petr	8/2/2018
3		8/2/2018
8	Kelly, John	8/2/2018
6		8/2/2018
4		8/2/2018
2		8/3/2018
4		8/3/2018
1		8/3/2018
3		8/7/2018
7		8/7/2018
22	Cohen, Michael	8/7/2018
3		8/8/2018
2		8/9/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
6		8/9/2018
5		8/9/2018
6		8/10/2018
3		8/14/2018
2		8/14/2018
6		8/14/2018
7		8/14/2018
1		8/15/2018
6		8/16/2018
1		8/16/2018
4		8/16/2018
2		8/17/2018
2		8/17/2018
1		8/20/2018
1		8/20/2018
5		8/20/2018
2		8/21/2018
1		8/21/2018
1		8/21/2018
2		8/22/2018
3		8/23/2018
2		8/23/2018
1		8/23/2018
3		8/23/2018
1	Newman, Omarosa Manigault	8/23/2018
1	Priestap, E. W.	8/23/2018
4		8/24/2018
2		8/29/2018
3	Klein, David	8/30/2018
1		8/30/2018
1		9/4/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
2		9/4/2018
5	Fishbein, Jason	9/5/2018
7	Corsi, Jerome	9/6/2018
1		9/6/2018
1		9/6/2018
7		9/7/2018
1	Gates, Richard	9/11/2018
1	Manafort, Paul	9/11/2018
8	Manafort, Paul J.	9/11/2018
1		9/12/2018
16	Cohen, Michael	9/12/2018
16	Cohen, Michael	9/12/2018
5		9/12/2018
3	Gates, Richard William III	9/12/2018
2		9/12/2018
7	Manafort, Paul J.	9/12/2018
1		9/12/2018
7		9/13/2018
1		9/13/2018
1	Manafort, Paul	9/13/2018
5	Manafort, Paul J.	9/13/2018
3		9/14/2018
2		9/17/2018
3	Corsi, Jerome	9/17/2018
2		9/17/2018
3	Flynn, Michael	9/17/2018
15	Cohen, Michael	9/18/2018
2		9/19/2018
7		9/19/2018
1	Manafort, Paul	9/20/2018
8	Manafort, Paul J.	9/20/2018



SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
8	Corsi, Jerome	9/21/2018
1	Manafort, Paul	9/21/2018
3	Manafort, Paul J.	9/21/2018
1		9/22/2018
1		9/23/2018
4		9/24/2018
1		9/26/2018
1	Gates, Richard III	9/27/2018
8	Gates, Richard William III	9/27/2018
3	Gates, Richard William III	9/27/2018
3		9/28/2018
2		9/29/2018
12	Manafort, Paul J.	10/1/2018
2		10/3/2018
2		10/3/2018
2		10/3/2018
2		10/4/2018
4		10/4/2018
4		10/5/2018
2		10/5/2018
2	Cohen, Michael	10/8/2018
11		10/9/2018
8		10/9/2018
1	Gates, Richard III	10/10/2018
5		10/11/2018
1	Manafort, Paul	10/11/2018
10	Manafort, Paul J.	10/11/2018
2		10/11/2018
1		10/15/2018
6		10/15/2018
12	Gates, Richard	10/16/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		10/16/2018
1	Manafort, Paul	10/16/2018
8	Manafort, Paul J.	10/16/2018
3		10/16/2018
12	Cohen, Michael	10/17/2018
18	Foresman, Robert	10/17/2018
1		10/17/2018
3		10/18/2018
1		10/19/2018
1		10/22/2018
3	Gates, Richard III	10/23/2018
3		10/23/2018
3		10/24/2018
3		10/24/2018
1	Gates, Richard III	10/25/2018
8	Gates, Richard William III	10/25/2018
3	Page, Lisa	10/25/2018
16	Bannon, Stephen K	10/26/2018
16	Bannon, Stephen K.	10/26/2018
16	Bannon, Stephen K.	10/26/2018
8	Gates, Richard III	10/26/2018
3		10/26/2018
1	Gates, Richard III	10/29/2018
1		10/30/2018
14	Corsi, Jerome	10/31/2018
11	Corsi, Jerome	11/1/2018
5		11/1/2018
3		11/1/2018
2	Corsi, Jerome	11/2/2018
1		11/2/2018
3		11/2/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		11/6/2018
1		11/6/2018
3		11/6/2018
2		11/6/2018
8		11/6/2018
2	Gates, Richard William III	11/7/2018
1	Gates, Rick	11/7/2018
1	Gates, Rick	11/7/2018
12	Gates, Rick	11/7/2018
15	Cohen, Michael	11/12/2018
4	Gates, Rick	11/13/2018
2		11/14/2018
6		11/14/2018
2		11/15/2018
4		11/15/2018
5		11/19/2018
1	Gates, Richard III	11/19/2018
2	Gates, Richard III	11/19/2018
3	Gates, Rick III	11/19/2018
7	Cohen, Michael	11/20/2018
3	Gates, Richard III	11/21/2018
9	Rybicki, James	11/21/2018
1		11/26/2018
3	Gates, Rick III	11/27/2018
2	Klimentov, Dmitri	11/27/2018
1		11/28/2018
5	Gates, Richard III	11/28/2018
2		12/2/2018
1		12/3/2018
2		12/3/2018
1		12/4/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
6		12/4/2018
1		12/5/2018
1		12/6/2018
12		12/6/2018
8		12/11/2018
2		12/11/2018
1		12/12/2018
1		12/13/2018
2		12/14/2018
2		12/19/2018
1		12/19/2018
1		12/21/2018
6		1/3/2019
1		1/9/2019
2		1/11/2019
1		1/16/2019
1	Gates, Richard	1/17/2019
4	Bannon, Stephen K.	1/18/2019
7	Gates, Richard III	1/22/2019
1		1/25/2019
2		1/25/2019
1		1/25/2019
1		1/25/2019
1		1/25/2019
2		1/25/2019
2		1/25/2019
2		1/29/2019
1		1/29/2019
2		1/31/2019
1		2/5/2019

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		2/5/2019
2		2/8/2019
10	Christie, Chris	2/13/2019
1		2/13/2019
11	Gordon, Jeffrey Duane	2/14/2019
4	Gates, Richard	2/17/2019
2		2/21/2019
2	Gates, Richard	2/25/2019
4		2/25/2019
1		2/26/2019
4	McGahn, Donald F.	2/28/2019
3		3/16/2019
2		3/18/2019
5	Cohen, Michael	3/19/2019
5	Cohen, Michael	3/19/2019
1		3/28/2019
7		7/26/2019
10		9/8/2019
2		9/27/2019
5		10/17/2019
2		10/24/2019
5		11/9/2019
1		09/12/2017 & 10/19/2017
1		1/17/2018 & 1/18/2018
1		1/17/2018 & 1/18/2018
21		10/3/2018 & 10/4/2018
1		12/31/18 & 1/19/19
1		4/10/2018 & 4/27/2018

SCO Interviews		
Number of Pages (Typed)	Subject Interviewed	Date of Interview
1		6/20/2018 - 6/28/2018
1		8/16/2017
5		8/3/2018 or 8/6/2018
2		8/9/2018, 8/13/2018, & 8/15/2018
26	Steele, Christopher	9/18/2017 & 9/19/2017
Total Pages		

5373


**United States Department of State**
*Washington, D.C. 20520*

January 8, 2020

Case No. F-2019-06332

Segment: S/ES-S-0024

S/ES-S-0027

Melanie Sloan  
 American Oversight  
 1030 15th Street NW, B255  
 Washington, DC 20005

Dear Ms. Sloan:

I refer to our letter dated December 9, 2019, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552. The Department has located 18 additional documents responsive to the priority portion of your request. We have determined that 9 documents may be released in full and 9 documents may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable FOIA exemptions are marked. All non-exempt material that is reasonably segregable from the exempt material has been released and is enclosed.

We will keep you informed as your case progresses. If you have any questions, your attorney may contact Joshua C. Abbuhl, Trial Attorney at [joshua.abbuhl@usdoj.gov](mailto:joshua.abbuhl@usdoj.gov); 202-616-8366. Please refer to the case number, F-2019-06332, and the civil action number, 19-cv-02934, in all correspondence about this request.

Sincerely,

Susan C. Weetman  
 Deputy Director  
 Office of Information Programs and Services

Enclosures: As stated.

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The Freedom of Information Act (5 USC 552)

## FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |                                                             |
|----------------|-------------------------------------------------------------|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(e)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(e) |
| FS ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

## Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester



**From:** [REDACTED]  
**Sent:** Mon, 16 Sep 2019 20:48:08 +0000  
**To:** Kurt Volker; Kent, George P; Brechbuhl, Thomas U; Marie Yovanovitch; Yovanovitch, Marie L; Volker, Kurt D; Brechbuhl, Thomas U  
**Cc:** [REDACTED]  
**Subject:** Congressional inquiry regarding Ukraine

RELEASE IN  
PART B5, B6

B6

**Attach:** ELE Schiff Cummings Letter to Sec Pompeo on Ukraine.pdf, ELE Schiff Cummings Letter to Pompeo Ukraine 9-13.pdf

Good afternoon,

You likely have seen the two attached letters from the House Committees. I wanted to reach out to each of you directly to share the Congressional letters regarding Ukraine. [REDACTED]

B5

B5

I have copied [REDACTED] who is available should you have any concerns or questions.

B6

Regards,

[REDACTED]  
 Senior Congressional Advisor  
 United States Department of State  
 Room 7805  
 Office: (202) 647-4243  
 Cell: [REDACTED]

B6

B6

B6

SBU - Deliberative Process



**Congress of the United States**  
**Washington, DC 20515**

RELEASE IN FULL

September 9, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street NW  
 Washington, DC 20520

Dear Mr. Secretary:

The Committees on Foreign Affairs, Intelligence, and Oversight and Reform jointly request documents related to reported efforts by President Trump and his associates to improperly pressure the Ukrainian government to assist the President's bid for reelection.

A growing public record indicates that, for nearly two years,<sup>1</sup> the President and his personal attorney, Rudy Giuliani,<sup>2</sup> appear to have acted outside legitimate law enforcement and diplomatic channels to coerce the Ukrainian government into pursuing two politically-motivated investigations under the guise of anti-corruption activity. The first is a prosecution of Ukrainians who provided key evidence against Mr. Trump's convicted campaign manager Paul Manafort. That investigation aims to undercut the Mueller Report's overwhelming evidence that Russia interfered in the 2016 election to support Trump's campaign. The other case targets the son of former Vice President Joseph R. Biden, who is challenging Mr. Trump for the presidency in 2020.

As the 2020 election draws closer, President Trump and his personal attorney appear to have increased pressure on the Ukrainian government and its justice system in service of President Trump's reelection campaign, and the White House and the State Department may be abetting this scheme.<sup>3</sup>

<sup>1</sup> See tweet @realDonaldTrump, July 25, 2017 ("Ukrainian efforts to sabotage Trump campaign -- 'quietly working to boost Clinton.' So where is the investigation A.G. @seanhannity") (online at: <https://twitter.com/realDonaldTrump/status/889788202172780544?s=20>). This tweet was also referenced by Special Counsel Robert Mueller in his investigation of President's Trump's possible obstruction of justice. See Mueller Report, Vol. II, at p 96, FN 660.

<sup>2</sup> See Victor Pinchuk Foundation, June 8, 2017, *107<sup>th</sup> Mayor of New York Rudy Giuliani Gave Public Lecture at the Invitation of the Victor Pinchuk Foundation*, noting the first publicly-reported meeting between Mr. Giuliani and Prosecutor General of Ukraine Petro Poroshenko (online at <https://pinchukfund.org/en/news/20207/>).

<sup>3</sup> Kenneth P. Vogel and Andrew E. Kramer, *Giuliani Renews Push for Ukraine to Investigate Trump's Political Opponents*, N.Y. Times, August 21, 2019 (online at: <https://www.nytimes.com/2019/08/21/us/politics/giuliani-ukraine.html>).

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September 9, 2019  
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According to the Ukrainian government, in a July 25, 2019 call with Ukraine's President Volodymyr Zelenskyy, President Trump apparently focused on these investigations, telling President Zelenskyy that he is "convinced the new Ukrainian government will be able to quickly improve [the] image of Ukraine, [and] complete [the] investigation of corruption cases, which inhibited the interaction between Ukraine and the USA."<sup>4</sup> The next day, Ambassador Kurt Volker, U.S. Special Representative for Ukraine, was dispatched to meet with President Zelenskyy.<sup>5</sup> Days later, the President's personal attorney met Andriy Yermak, an aide to President Zelenskyy, in Spain, where the President's personal attorney, who has no official administration or diplomatic position, reportedly suggested a "possible heads of state meeting" between Presidents Trump and Zelenskyy<sup>6</sup> and tweeted an accusation about former Vice President Biden's son.<sup>7</sup> The State Department subsequently acknowledged that Ambassador Volker used his office to facilitate the meeting between the two.<sup>8</sup> Although the State Department has insisted that President Trump's attorney is "a private citizen" who "does not speak on behalf of the U.S. Government," Mr. Yermak publicly stated that "it was not clear to him whether Mr. Giuliani was representing Mr. Trump in their talks."<sup>9</sup>

President Trump has also threatened to withhold<sup>10</sup> more than \$250 million in security assistance that Congress has appropriated, the Pentagon supports,<sup>11</sup> and Ukraine desperately needs. Ukraine's sovereignty and territorial integrity are under assault from Russia and its proxies in illegally-occupied Ukrainian territory. If the President is trying to pressure Ukraine into choosing between defending itself from Russian aggression without U.S. assistance or

<sup>4</sup> See Official Website of the President of Ukraine, *Volodymyr Zelenskyy had a phone conversation with President of the United States*, July 25, 2019 (online at: <https://www.president.gov.ua/en/news/volodimir-zelenskij-proviv-telefonnu-rozmovu-z-prezidentom-s-56617>).

<sup>5</sup> See tweet by U.S. Embassy Kyiv, July 26, 2019, showing Ambassador Volker meeting with President Zelenskyy (online at: <https://twitter.com/USEmbassyKyiv/status/1154712337368190976?s=20>).

<sup>6</sup> See Kenneth P. Vogel and Andrew E. Kramer, *supra* n. 3.

<sup>7</sup> See tweet by Rudy Giuliani, August 3, 2019 from Santa Cruz del Retamar, Espana (online at: <https://twitter.com/RudyGiuliani/status/1157778959653842945?s=20>) ("The Politico coverup article doesn't mention the bribery of Ukraine Pres. by then VP Biden to get the case against his son dismissed. Nor does it explain the Chinese pay-off of \$1.5billion to Biden's useless fund. Joe took his son on AFII to get the investment. It stinks!!").

<sup>8</sup> See State Department Spokesperson Statement, August 22, 2019 (online at: <https://twitter.com/kenvogel/status/1164666081501470727/photo/1>).

<sup>9</sup> See Kenneth P. Vogel and Andrew E. Kramer, *supra* n. 3.

<sup>10</sup> Caitlin Emma and Connor O'Brien, *Trump Holds Up Ukraine Military Aid Meant to Confront Russia*, Politico, August 29, 2019 (online at: <https://www.politico.com/story/2019/08/28/trump-ukraine-military-aid-russia-1689531>).

<sup>11</sup> Bryan Bender, *Pentagon Wants Ukraine Military Aid to Continue*, Politico, August 29, 2019 (online at: <https://www.politico.com/story/2019/08/29/pentagon-wants-ukraine-military-aid-to-continue-1477957>).

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leveraging its judicial system to serve the ends of the Trump campaign, this would represent a staggering abuse of power, a boon to Moscow, and a betrayal of the public trust. That the State Department has apparently acted as a broker between President Trump's personal attorney and Ukrainian officials raises serious concerns that the Department is complicit in a corrupt scheme that undercuts U.S. foreign policy and national security interests in favor of the President's personal agenda.

Congress has a constitutionally-mandated obligation to conduct oversight, protect the sanctity of our elections, and ensure that the nation's diplomatic resources and foreign assistance are being deployed for the benefit of the United States, not the personal interests of the President. In order to fulfill this obligation and determine what legislative reform may be required, we request that the White House preserve all documents, communications, and other data ("records"), regardless of format, that may be required for the Committees' oversight and investigative duties relating to this subject. The term "records" is broad and includes both paper and electronic records.<sup>12</sup> Specifically, the State Department should:

1. identify and notify all current and former employees and contractors, subcontractors, consultants, and Special Government Employees who may have access to such records that they are to be preserved;
2. identify, record, and preserve any records which have been deleted or marked for deletion but are still recoverable; and
3. if it is the routine practice of any employee or contractor to destroy or otherwise alter such records, either halt such practices or arrange for the preservation of complete and accurate duplicates or copies of such records, suitable for production, if requested.

In addition, we request that the Department produce to the Committees the following,<sup>13</sup> no later than **Monday, September 16**:

<sup>12</sup> This includes emails, electronic messages (including, but not limited to, both government and commercial/personal email accounts, text messages, or messaging services such as WhatsApp, Signal, Viber, Facebook, Twitter, and/or Telegram), regardless of whether such records were created, modified, sent, or received on an official or personal address or device, as well as log files and metadata. For purposes of this request, "preserve" means taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, or mutilation of records, including but not limited to emails and handwritten notes, as well as negligent or intentional handling which would foreseeably make such records incomplete or inaccessible.

<sup>13</sup> Any alternate spellings or transliterations of any names reference herein would also render a document responsive to these requests.

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The Honorable Mike Pompeo  
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Page Four

1. Any and all correspondence sent to or received by the State Department from January 20, 2017 to the present related to or referring in any way to the potential or suggested investigations/legal cases referred to in this letter. This includes, but is not limited to, correspondence regarding or referring to Paul Manafort, Serhiy Leshchenko, the "Black Ledger," Hunter Biden, Burisma Holdings, former Ukrainian Prosecutor General Yuriy Lutsenko, or Presidential Aide Andriy Yermak in the context of these potential or suggested investigations/legal cases.
2. Any copies in the State Department's, custody, or control of the transcript of President Trump's July 25, 2019 call with Ukrainian President Zelenskyy (the "July 25 Call").
3. Any and all records generated or received by the State Department in connection with, or that refer or relate in any way to the July 25 Call.
4. A full list of any Department officials who participated in, assisted in preparation for, or received a readout of the July 25 Call.
5. Any and all records generated or received by Department officials with or referring to President Trump's personal attorney, Rudy Giuliani.
6. Any and all records generated or received by any State Department staff in connection with, or that refer or relate in any way to the actual or potential suspension of security assistance to Ukraine.

Relevant custodians for responsive records include, but are not limited to:

1. the Office of the Secretary, including the Policy Planning Staff, the Counselor;
2. the Office of the Deputy Secretary;
3. the Office of the Undersecretary for Political Affairs;
4. Ambassador Kurt Volker and the office of the Special Representative for Ukraine;
5. The Bureau of European Affairs; and
6. U.S. Embassy Kyiv.

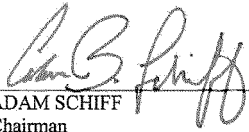
The Committees are prepared to work with the Department to facilitate the production of these documents.




The Honorable Mike Pompeo  
September 9, 2019  
Page Five

Sincerely,

  
ELIOT L. ENGEL  
Chairman  
House Foreign Affairs Committee

  
ADAM SCHIFF  
Chairman  
House Permanent Select Committee  
On Intelligence

  
ELIJAH E. CUMMINGS  
Chairman  
House Committee on Oversight and Reform

AMERICAN  
OVERSIGHT

**Congress of the United States**  
**Washington, DC 20515**

**RELEASE IN FULL**

September 13, 2019

The Honorable Mike Pompeo  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Mr. Secretary:

We write to follow up on the September 9 letter we sent you regarding reported efforts by President Trump and his associates to improperly pressure the Ukrainian government to assist the President's bid for reelection.

As we noted in that letter, a growing body of public reporting indicates that the President and his associates may be engaged in efforts to coerce the Ukrainian government into pursuing two politically-motivated investigations under the guise of anti-corruption activity. Public reports further indicate that the President, in turn, threatened to withhold more than \$250 million in security assistance that Congress has appropriated, the Pentagon supports, and Ukraine greatly needs. It is incumbent upon our Committees to ensure that any attempts by the State Department to abet this scheme are fully understood and appropriately addressed.

As part of our investigation, we ask that you make the following individuals available for transcribed interviews with Committee staff as expeditiously as possible:

- Ambassador Marie "Masha" Yovanovitch, who was recalled early from her post in Kiev on May 20, 2019;
- Ambassador Kurt Volker, U.S. Special Representative for Ukraine;
- Deputy Assistant Secretary George Kent, who formerly served as Deputy Chief of Mission in Kiev; and
- Counselor T. Ulrich Brechbuhl.

Each of these individuals has been identified through various means as having direct knowledge of and/or involvement in the matters under investigation.


Please provide, no later than **Friday, September 20**, the dates on which each of these individuals will be available for an interview. Please contact the Committee on Foreign Affairs at (202) 225-5021 to coordinate scheduling and logistics.


Sincerely,


AMERICAN  
OVERSIGHT

PRINTED ON RECYCLED PAPER

The Honorable Mike Pompeo  
September 13, 2019  
Page Two

  
ELIOT L. ENGEL  
Chairman  
House Foreign Affairs Committee

  
ADAM SCHIFF  
Chairman  
House Permanent Select Committee  
On Intelligence

  
ELIJAH E. CUMMINGS  
Chairman  
House Committee on Oversight and Reform

AMERICAN  
OVERSIGHT



RELEASE IN  
PART B5, B6

**From:** [REDACTED] B6  
**Sent:** Fri, 27 Sep 2019 20:48:23 +0000  
**To:** Kent, George P; Kurt Volker; Brechbuhl, Thomas U; Marie Yovanovitch; Yovanovitch, Marie L; Volker, Kurt D; Sondland, Gordon D (USEU)  
**Cc:** [REDACTED] B6  
**Subject:** RE: Congressional inquiry regarding Ukraine - tweets of deposition schedules

**Attach:** 2019-09-27.EEC Engel Schiff to Pompeo- State re Depositions.pdf B6

Thanks George. [REDACTED] B5  
 [REDACTED] We will be in touch.

[REDACTED] B5 B6

**From:** Kent, George P  
**Date:** September 27, 2019 at 4:43:07 PM EDT  
**To:** [REDACTED], Kurt Volker, Brechbuhl, Thomas U, Marie Yovanovitch, Yovanovitch, Marie L, Volker, Kurt D, Brechbuhl, Thomas U B6  
**Cc:** [REDACTED] B6  
**Subject:** RE: Congressional inquiry regarding Ukraine - tweets of deposition schedules

[REDACTED] - I have received no such request from Congress, but there are tweets out now indicating a deposition schedule (below). I just got a call [REDACTED] saw the below on twitter - Politico tweeting an alleged schedule of depositions. B6  
<https://twitter.com/AndrewDesiderio>

**BREAKING: House Foreign Affairs Committee has subpoenaed Mike Pompeo for Ukraine docs. The following State Dept officials have also been scheduled for depositions.**



- October 2, 2019: Ambassador Yovanovitch
- October 3, 2019: Ambassador
- October 7, 2019: Deputy Assistant Secretary George Kent
- October 8, 2019: Counselor Brechbuhl
- October 10, 2019: Ambassador Sondland

1:04 PM - 27 Sep 2019

Note: I am meant to be flying to Bratislava on October 7 (late afternoon) to participate as the US rep in 5+2 talks on Transnistria (flying back 11 October). Welcome guidance. George

SBU - DELIBERATIVE PROCESS



From: [REDACTED]

B6

Sent: Friday, September 27, 2019 12:38 PM

To: Kurt Volker ; Kent, George P ; Brechbuhl, Thomas U ; Marie Yovanovitch ; Yovanovitch, Marie L ; Volker, Kurt D ; Brechbuhl, Thomas U

Cc: [REDACTED]

B6

Subject: RE: Congressional inquiry regarding Ukraine

Good Afternoon,

I wanted to follow up with you on my earlier email. Consistent with the longstanding standard practice of the Department of State, [REDACTED]

B5

B5

[REDACTED]

[REDACTED] H and L remain ready to assist you as needed in connection with any such Congressional request. If you have retained counsel and would like us to communicate directly with them in connection with this matter, please let us know.

B5

Regards,

[REDACTED]

SBU - DELIBERATIVE PROCESS

B6

From: [REDACTED]

B6

Sent: Monday, September 16, 2019 4:48 PM

To: Kurt Volker <[REDACTED]>; Kent, George P <KentGP@state.gov>; Brechbuhl, Thomas U <BrechbuhlTU@state.gov>; Marie Yovanovitch <[REDACTED]>; Yovanovitch, Marie L <YovanovitchML2@state.gov>; Volker, Kurt D <VolkerKD@state.gov>; Brechbuhl, Thomas U <BrechbuhlTU@state.gov>

B6

B6

Cc: [REDACTED]

B6

Subject: Congressional inquiry regarding Ukraine

Good afternoon,

You likely have seen the two attached letters from the House Committees. I wanted to reach out to each of you directly to share the Congressional letters regarding Ukraine. [REDACTED]

B5

B5

[REDACTED]

I have copied [REDACTED] who is available should you have any concerns or questions.

B6

Regards,

[REDACTED]

B6

Senior Congressional Advisor  
United States Department of State  
Room 7805  
Office: (202) 647-4243  
Cell: [REDACTED]  
SBU - Deliberative Process

B6



**Congress of the United States**  
 Washington, DC 20515

September 27, 2019

The Honorable Michael R. Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C. 20520

**RELEASE IN FULL**

Dear Mr. Secretary:

Pursuant to the House of Representatives' impeachment inquiry, we write to inform you that depositions for each of the following State Department officials will be scheduled on the dates indicated below:

- October 2, 2019: Ambassador Marie "Masha" Yovanovitch
- October 3, 2019: Ambassador Kurt Volker
- October 7, 2019: Deputy Assistant Secretary George Kent
- October 8, 2019: Counselor T. Ulrich Brechbuhl
- October 10, 2019: Ambassador Gordon Sondland

These depositions will be conducted jointly by the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Oversight and Reform. The deposition transcripts shall be part of the impeachment inquiry and shared among the Committees. The failure of any of these Department employees to appear for their scheduled depositions shall constitute evidence of obstruction of the House's impeachment inquiry.

The Committees are investigating the extent to which President Trump jeopardized national security by pressing Ukraine to interfere with our 2020 election and by withholding security assistance provided by Congress to help Ukraine counter Russian aggression.

On September 13, the Committees wrote to request that you make State Department employees available for transcribed interviews.<sup>1</sup> We asked you to provide, by September 20, dates by which the employees would be made available for transcribed interviews.<sup>2</sup> You failed to comply with the Committees' request.

Your actions are all the more troubling given that since our September 13 request, it has become clear that multiple State Department officials have direct knowledge of the subject

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<sup>1</sup> Letter from Chairman Eliot L. Engel, House Committee on Foreign Affairs, Chairman Adam Schiff, House Permanent Select Committee on Intelligence, and Chairman Elijah E. Cummings, House Committee on Oversight and Reform to Secretary Mike Pompeo, Department of State (Sept. 13, 2019) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2019-09-13.EEC%20ELE%20Schiff%20re%20Ukraine.pdf>).

<sup>2</sup> *Id.*



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The Honorable Michael R. Pompeo  
Page 2

matters of the House's impeachment inquiry. On September 25, the White House released a summary of a July 25, 2019, telephone call during which President Trump directly and repeatedly urged President Volodymyr Zelensky of Ukraine to initiate an investigation into former Vice President Biden.<sup>3</sup> On September 25, the Office of the Director of National Intelligence declassified a whistleblower complaint, which indicates that indicates that T. Ulrich Brechbuhl, the Counselor of the Department, listened in on President Trump's July 25 call.<sup>4</sup> The Department has also acknowledged that Special Representative for Ukraine Kurt Volker played a direct role in arranging meetings between Rudy Giuliani, who has no official role in the U.S. government, and representatives of President Zelensky.<sup>5</sup> In addition, the whistleblower complaint indicates that "multiple U.S. officials" were "deeply concerned by what they viewed as Mr. Giuliani's circumvention of national security decisionmaking processes to engage with Ukrainian officials and relay messages back and forth between Kyiv and the President."<sup>6</sup> These officials reported that "State Department officials" had spoken with Mr. Giuliani "in an attempt to 'contain the damage' to U.S. national security," as well as to the new Ukrainian administration to help it "understand and respond to" Mr. Giuliani's backchanneling.<sup>7</sup>

Mr. Giuliani's recent public statements raise more troubling questions about State Department officials' possible involvement in the President's efforts to press Ukraine to interfere in the 2020 U.S. election. During a televised interview, Mr. Giuliani claimed that the State Department asked him to take on this mission and that he had proof of the Department's request. He stated: "I never talked to a Ukrainian official until the State Department called me and asked me to do it and then I reported every conversation back to them."<sup>8</sup> On September 26, Mr. Giuliani tweeted what appears to be a screenshot of a text message from Ambassador Kurt Volker dated July 19—six days before the President's July 25 call with the Ukrainian president—which stated: "Mr. Mayor—really enjoyed breakfast this morning. As discussed, connecting you here with Andrey Yermak, who is very close to President Zelensky. I suggest we schedule a call together on Monday."<sup>9</sup> That introduction appears to have led to precisely the meeting that Mr. Trump urged in the July 25 phone call: in early August, Mr. Yermak and Mr.

<sup>3</sup> The White House, *Memorandum of Telephone Conversation* (July 25, 2019) (online at [www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf](https://www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf)).

<sup>4</sup> Letter to Chairman Richard Burr, Senate Select Committee on Intelligence, and Chairman Adam Schiff, Chairman, House Permanent Select Committee on Intelligence (Aug. 12, 2019) (online at [https://intelligence.house.gov/uploadedfiles/20190812\\_-\\_whistleblower\\_complaint\\_unclass.pdf](https://intelligence.house.gov/uploadedfiles/20190812_-_whistleblower_complaint_unclass.pdf)).

<sup>5</sup> State Department Spokesperson Statement, Twitter (Aug. 22, 2019) (online at <https://twitter.com/kenvogel/status/1164666081501470727/photo/1>).

<sup>6</sup> Letter to Chairman Richard Burr, Senate Select Committee on Intelligence, and Chairman Adam Schiff, Chairman, House Permanent Select Committee on Intelligence (Aug. 12, 2019) (online at [https://intelligence.house.gov/uploadedfiles/20190812\\_-\\_whistleblower\\_complaint\\_unclass.pdf](https://intelligence.house.gov/uploadedfiles/20190812_-_whistleblower_complaint_unclass.pdf)).

<sup>7</sup> *Id.*

<sup>8</sup> "Shut Up, Moron": Rudy Giuliani Lashes Out at Critics, Defends His Ukraine Involvement, Washington Post (Sept. 25, 2019) (online at [www.washingtonpost.com/nation/2019/09/25/giuliani-shut-up-moron-fox-news-ukraine/](https://www.washingtonpost.com/nation/2019/09/25/giuliani-shut-up-moron-fox-news-ukraine/)).

<sup>9</sup> Rudy Giuliani, Twitter (Sept. 26, 2019) (online at <https://twitter.com/RudyGiuliani/status/1177346278004539392>).



The Honorable Michael R. Pompeo  
Page 3

Giuliani met in Spain,<sup>10</sup> where Mr. Giuliani admits he pressured Mr. Yermak to pursue the investigations President Trump was seeking.<sup>11</sup>

The Committees are conducting this investigation in an expeditious, coordinated manner. The Inspector General of the Intelligence Community has determined that the whistleblower complaint raises a matter of "urgent concern," is "credible," and "relates to one of the most significant and important of the DNI's responsibilities to the American people": our free and fair elections.<sup>12</sup>

Your refusal to provide the requested documents and interviews not only prevents our Committees from fully investigating these matters, but impedes Congress' ability to fulfill its Constitutional responsibilities to protect our national security and the integrity of our democracy.

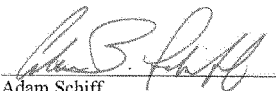
Enclosed is a copy of the House Deposition Rules for your information and to provide to the witnesses.

If you have any questions, please contact staff for the Committee on Foreign Affairs at (202) 225-5021.

Sincerely,



Eliot L. Engel  
Chairman  
House Committee on Foreign Affairs



Adam Schiff  
Chairman  
House Permanent Select Committee  
On Intelligence



Elijah E. Cummings  
Chairman  
House Committee on Oversight and Reform

<sup>10</sup> *Giuliani Sits at the Center of the Ukraine Controversy*, Wall Street Journal (Sept. 26, 2019) (online at [www.wsj.com/articles/giuliani-sits-at-the-center-of-the-ukraine-controversy-11569546774](https://www.wsj.com/articles/giuliani-sits-at-the-center-of-the-ukraine-controversy-11569546774)).

<sup>11</sup> *Giuliani Renews Push for Ukraine to Investigate Trump's Political Opponents*, New York Times (Aug. 21, 2019) (online at [www.nytimes.com/2019/08/21/us/politics/giuliani-ukraine.html](https://www.nytimes.com/2019/08/21/us/politics/giuliani-ukraine.html)).

<sup>12</sup> Letter from Michael K. Atkinson, Inspector General of the Intelligence Community, to Chairman Adam Schiff, House Permanent Select Committee on Intelligence (Sept. 17, 2019) (online at [https://intelligence.house.gov/uploadedfiles/20190917\\_-\\_ic\\_ig\\_second\\_letter\\_to\\_hpsei\\_on\\_whistleblower.pdf](https://intelligence.house.gov/uploadedfiles/20190917_-_ic_ig_second_letter_to_hpsei_on_whistleblower.pdf)).



The Honorable Michael R. Pompeo  
Page 4

Enclosure

cc: The Honorable Michael McCaul, Ranking Member  
House Committee on Foreign Affairs

The Honorable Devin Nunes, Ranking Member  
House Permanent Select Committee on Intelligence

The Honorable Jim Jordan, Ranking Member  
House Committee on Oversight and Reform



**RELEASE IN PART B6**

**From:** Atwood, Kylie [REDACTED]  
**Sent:** Mon, 30 Sep 2019 14:13:24 +0000  
**To:** Brechbuhl, Thomas U  
**Subject:** Comment / chat? / deposition?

---

B6

Hi Counselor Brechbuhl -  
Kylie Atwood with CNN here. I'd like to chat with you either on the record, on background or off the record regarding Ukraine. Specifically, I'm told you were directly involved in recalling Ambassador Yovanovitch.  
Also, will you attend your deposition on the hill they have scheduled for October 8?

My cell / WhatsApp: [REDACTED]

B6

Thank you very much, Kylie

Kylie Atwood  
CNN National Security Reporter  
Cell, Signal, WhatsApp: [REDACTED]

B6





**From:** Kenna, Lisa D [REDACTED]  
**Sent:** Tue, 1 Oct 2019 18:31:56 +0000  
**To:** S\_SpecialAssistants [REDACTED]; Buangan, Richard L  
**Subject:** letter to Secretary Pompeo re Amb. Yovanovitch

RELEASE IN PART  
B5, B6

B6

B6

---

**Attach:** Open Letter 2 Secretary Pompeo, 10-1-19.docx

---

Received today for S. [REDACTED] Thank you.

B5

SENSITIVE BUT UNCLASSIFIED



October 1, 2019

RELEASE IN FULL

Secretary of State Mike Pompeo  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520  
*via email*

Dear Mr. Secretary:

We the undersigned – former career diplomats and political appointees from both sides of the aisle – write to express our full and strong support for Ambassador Marie Yovanovitch, whose name has appeared in the whistleblower controversy.

Each of us knows and has worked with Ambassador Yovanovitch in one capacity or another and believe she represents the finest in the Foreign Service. A career diplomat for 33 years, Ambassador Yovanovitch has served as ambassador in three countries – Kyrgyzstan, Armenia and Ukraine. Her performance and leadership have been exemplary. She has represented and advanced U.S. national interests consistently and unwaveringly, including in her last post, Ukraine. She has been a mentor to many junior Foreign Service officers and has earned the highest respect among her peers.

We were disturbed to read reports in the spring that Ambassador Yovanovitch was called back from her assignment in Ukraine earlier than planned in the face of absurd and unfounded allegations. Since then, she has been attacked by the President of the United States, as reflected in his July 25 conversation with Ukrainian President Volodymyr Zelenskyy, and by the President's personal attorney, Rudy Giuliani.

We are particularly concerned by President Trump's reported statement that "she's going to go through some things." Such language could be interpreted as a threat of some kind. Such language and the broader attack on Ambassador Yovanovitch should be condemned unequivocally.

Ambassador Yovanovitch deserves your unstinting support, as do other career diplomats who may become ensnared in the upcoming Congressional investigation and impeachment process. All employees of the Department – Foreign Service officers, civil servants, and political appointees – need to know that you have their backs against scurrilous political attacks and smears.

Thank you for your attention to this matter.

Daniel Baer  
John Beyrle  
Antony Blinken  
Spencer Boyer  
Nicholas Burns  
William Burns



Michael Carpenter  
Derek Chollet  
Eric Edelman  
Evelyn Farkas  
John Herbst  
Colin Kahl  
Richard Kauzlarich  
Ian Kelly  
Laura Kennedy  
David J. Kramer  
Michael McFaul  
Richard Morningstar  
Steven Pifer  
Ned Price  
Benjamin Rhodes  
Julianne Smith  
Jake Sullivan  
John Tefft  
Jim Townsend  
Alexander Vershbow  
Celeste Wallander



**From:** [REDACTED]  
**Sent:** Tue, 1 Oct 2019 22:33:41 +0000  
**To:** SES-ExecTech\_MC  
**Cc:** S\_SpecialAssistants; [REDACTED] Kenna, Lisa D  
**Subject:** MC PRINT: EUR Trip Tranche 1

RELEASE IN  
 PART B5, B6

B6

B6

**Attach:** Public Statement Decision Memo Jamal Khashoggi One Year Anniversary.docx, S Greece Speech 10 05 19.docx, S Upcoming Remarks Book TOC 10.01.2019.docx, S Upcoming Remarks Book TOC 10.01.2019 V2.docx, Open Letter 2 Secretary Pompeo re Amb. Yovanovitch 10-1-19.docx

MC Colleagues,

Please print the attached documents and pass to Richard.

This Email includes:

- Open Letter to Secretary Pompeo Regarding Amb. Yovanovitch [REDACTED]

B5

- Public State Decision Memo Regarding Jamal Khashoggi [REDACTED]

B5

- Greece Speech

- Updated Remarks Book TOC. *(Two versions.)* [REDACTED]

B5

[REDACTED]  
 Special Assistant  
 Office of the Secretary of State  
 Office: 202-647-9573

B6

SENSITIVE BUT UNCLASSIFIED

AMERICAN  
 OVERSIGHT

October 1, 2019

RELEASE IN FULL

Secretary of State Mike Pompeo  
U.S. Department of State  
2201 C Street, NW  
Washington, DC 20520  
*via email*

Dear Mr. Secretary:

We the undersigned – former career diplomats and political appointees from both sides of the aisle – write to express our full and strong support for Ambassador Marie Yovanovitch, whose name has appeared in the whistleblower controversy.

Each of us knows and has worked with Ambassador Yovanovitch in one capacity or another and believe she represents the finest in the Foreign Service. A career diplomat for 33 years, Ambassador Yovanovitch has served as ambassador in three countries – Kyrgyzstan, Armenia and Ukraine. Her performance and leadership have been exemplary. She has represented and advanced U.S. national interests consistently and unwaveringly, including in her last post, Ukraine. She has been a mentor to many junior Foreign Service officers and has earned the highest respect among her peers.

We were disturbed to read reports in the spring that Ambassador Yovanovitch was called back from her assignment in Ukraine earlier than planned in the face of absurd and unfounded allegations. Since then, she has been attacked by the President of the United States, as reflected in his July 25 conversation with Ukrainian President Volodymyr Zelensky, and by the President's personal attorney, Rudy Giuliani.

We are particularly concerned by President Trump's reported statement that "she's going to go through some things." Such language could be interpreted as a threat of some kind. Such language and the broader attack on Ambassador Yovanovitch should be condemned unequivocally.

Ambassador Yovanovitch deserves your unstinting support, as do other career diplomats who may become ensnared in the upcoming Congressional investigation and impeachment process. All employees of the Department – Foreign Service officers, civil servants, and political appointees – need to know that you have their backs against scurrilous political attacks and smears.

Thank you for your attention to this matter.

Daniel Baer  
John Beyrle  
Antony Blinken  
Spencer Boyer  
Nicholas Burns  
William Burns



Michael Carpenter  
Derek Chollet  
Eric Edelman  
Evelyn Farkas  
John Herbst  
Colin Kahl  
Richard Kauzlarich  
Ian Kelly  
Laura Kennedy  
David J. Kramer  
Michael McFaul  
Richard Morningstar  
Steven Pifer  
Ned Price  
Benjamin Rhodes  
Julianne Smith  
Jake Sullivan  
John Tefft  
Jim Townsend  
Alexander Vershbow  
Celeste Wallander



**RELEASE IN PART B6**

**From:** Atwood, Kylie [REDACTED]  
**Sent:** Wed, 2 Oct 2019 23:26:23 +0000  
**To:** Brechbuhl, Thomas U  
**Subject:** Comment?

---

B6

Hi Counselor Brechbuhl - have a minute to chat about these emails that were sent to you regarding stories about Ambassador Yovanovitch which were shared with the State Department inspector general and then shared with congress today?

Wondering why those emails were given to the inspector general.

I'm also told that Pompeo did his due diligence and passed the documents in the packet over to AG Barr. Know anything on that?

I'm on cell [REDACTED]

Thanks!

B6

Kylie Atwood  
CNN National Security Reporter  
Cell, Signal, WhatsApp: [REDACTED]

B6



## ROBBINS | RUSSELL

Robbins, Russell, Englert, Orseck, Untereiner &amp; Sauber LLP

RELEASE IN FULL

Lawrence S. Robbins

202.775.4501  
lrobbins@robbinsrussell.com

October 11, 2019

The Honorable Brian Bulatao  
Under Secretary of State for Management  
U.S. Department of State  
Washington, D.C. 20520

Dear Mr. Bulatao:

In my capacity as counsel for Ambassador Marie Yovanovitch, I have received your letter of October 10, 2019, directing the Ambassador not to appear voluntarily for her scheduled deposition testimony on October 11, 2019 before the Committee on Foreign Affairs, the Permanent Select Committee on Intelligence, and the Committee on Oversight and Reform in connection with the House of Representatives's impeachment inquiry. Just this morning, the Ambassador received a subpoena issued by the House Permanent Select Committee on Intelligence, requiring her to appear for the deposition as scheduled.

Although the Ambassador has faithfully and consistently honored her professional duties as a State Department employee—including at all times following her abrupt termination as U.S. Ambassador to Ukraine—she is unable to obey your most recent directive. As the recipient of a duly issued congressional subpoena, Ambassador Yovanovitch is, in my judgment, legally obligated to attend the deposition as scheduled. See *United States v. Nixon*, 418 U.S. 683, 706 (1974) (“[N]either the doctrine of separation of powers, nor the need for confidentiality of high-level communications, without more, can sustain an absolute, unqualified Presidential privilege of immunity from judicial process under all circumstances.”); *Nixon v. Adm’r of Gen. Servs.*, 433 U.S. 425, 454 (1977) (“[W]e believe that the claims of Presidential privilege clearly must yield to the important congressional purposes of preserving the materials and maintaining access to them for lawful governmental and historical purposes”); *In re Sealed Case*, 121 F.3d 729, 752 (D.C. Cir. 1997) (“Not every person who plays a role in the development of presidential advice, no matter how remote and removed from the President, can qualify for the [presidential communications] privilege. In particular, the privilege should not extend to staff outside the White House in executive branch agencies.”).



2000 K Street, NW | 4th Floor | Washington, DC 20006  
P 202.775.4500 | F 202.775.4510  
www.robbinsrussell.com



## ROBBINS | RUSSELL

The Honorable Brian Bulatao  
October 11, 2019  
Page 2

Accordingly, barring some intervening court order to the contrary, Ambassador Yovanovitch intends to comply with the subpoena and attend today's scheduled deposition.

Sincerely,

/s/ Lawrence S. Robbins  
Lawrence S. Robbins  
*Counsel to Amb. Marie Yovanovitch*



RELEASE IN PART  
B5, B6

**From:** [REDACTED]  
**Sent:** Fri, 11 Oct 2019 15:22:47 +0000  
**To:** Sullivan, John J [REDACTED]  
**Subject:** RE: Question

B6

B6

Thanks, sir. We're on it.

UNCLASSIFIED

**From:** Sullivan, John J  
**Sent:** Friday, October 11, 2019 11:14 AM  
**To:** Ehlinger, Jennifer T ; Frideres, Taryn F ; Nanavatty, Katharine B  
**Subject:** FW: Question

UNCLASSIFIED

**From:** Hudson, John [REDACTED]  
**Sent:** Friday, October 11, 2019 10:51 AM  
**To:** Sullivan, John J <[SullivanJJ2@state.gov](mailto:SullivanJJ2@state.gov)>  
**Subject:** Question

B6

Hi Deputy Secretary Sullivan,

We understand you're the person who informed Amb. Yovanovitch that she was being removed from her job. We're trying to understand why she was removed and whether you believed it was justified.

Thanks,  
 John

John Hudson  
 National Security Reporter  
 The Washington Post  
 Cell/Signal/WhatsApp: [REDACTED]  
 @John\_Hudson

B6

AMERICAN  
 OVERSIGHT

**From:** [REDACTED] **RELEASE IN PART** B6  
**Sent:** Fri, 11 Oct 2019 15:44:35 +0000  
**To:** [REDACTED] B6  
**Subject:** FW: wanted to flag this SFRC all Ds letter

---

**Attach:** 10-10-19 Yovanovitch letter signed.pdf

---

UNCLASSIFIED

**From:** [REDACTED] B6  
**Sent:** Friday, October 11, 2019 9:57 AM  
**To:** [REDACTED] B6  
**Subject:** wanted to flag this SFRC all Ds letter

[REDACTED] B6  
Director, Congressional Oversight and Investigations  
United States Department of State  
Room 7905  
Office: (202) 647-4243  
Cell: [REDACTED] B6

UNCLASSIFIED



JAMES H. RUSCH, DANIEL CHAPMAN

MARIO RUBIO, FLORIDA  
 NIKKI JOHNSON, ILLINOIS  
 CORY GARDNER, COLORADO  
 MITT ROMNEY, UTAH  
 VANDY BIRCHALL, SOUTH CAROLINA  
 JOHNNY ISAACSON, GEORGIA  
 CHRIS BARRASSO, IOWA  
 ROB PORTMAN, OHIO  
 RAND PAUL, KENTUCKY  
 TERRY GILLER, MISSISSIPPI  
 TED CRUZ, TEXAS

ROBERT MENENDEZ, NEW JERSEY  
 BRISANNE L. LARON, MARYLAND  
 JEANNE SHAWKEN, NEW HAMPSHIRE  
 CHRISTOPHER A. COONS, DELAWARE  
 TOM COAK, NEW MEXICO  
 CHRISTOPHER WIMPHY, CONNECTICUT  
 TIM KAPPE, VIRGINIA  
 EDWARD J. MARKEY, MASSACHUSETTS  
 JEFF MERKLEY, OREGON  
 CORY A. BOOKER, NEW JERSEY

RELEASE IN FULL

United States Senate

COMMITTEE ON FOREIGN RELATIONS

WASHINGTON, DC 20510-6225

October 10, 2019

The Honorable Mike Pompeo  
 Secretary of State  
 U.S. Department of State  
 2201 C Street, N.W.  
 Washington, D.C. 20520

Secretary Pompeo:

As Secretary of State, you have a responsibility to stand up for and defend all State Department personnel and protect them against unfair attacks and political retaliation. Yet, as an August 2019 State Department's Inspector General report shows, under the Trump administration, dedicated public servants have suffered retaliation and attacks that have damaged their reputations, subjected them to threats, and left their careers in limbo. For months, you have tried to delay and avoid many of our congressional requests related to these actions. This week, the Department blocked employees from speaking, even voluntarily, to Congress. We call on you to stop impeding congressional inquiries, and start standing up for the Department's dedicated public servants.

While we have many questions about the role you and the Department have played in the Trump-Ukraine scandal, an important part of that inquiry is why the former U.S. Ambassador to Ukraine, Marie "Masha" Yovanovitch, was recalled earlier this year. In particular, her early recall raises questions about whether you put the personal interests of the President above the Department's career personnel or U.S. foreign policy.

It also raises the question of what you and the Department did to protect Ambassador Yovanovitch against improper political pressure.

For months, Ambassador Yovanovitch faced political attacks based on disinformation and statements later proven to be false. Based on her work advancing the official position of the U.S. government, she became the target of false accusations by Ukrainian Prosecutor General Yuriy Lutsenko.<sup>1</sup> Although Lutsenko later recanted his statements, Ambassador Yovanovitch remained the target of unfounded conspiracy theories, advanced in part by the President's agent, Rudy Giuliani, and his son, Donald Trump, Jr.<sup>2</sup>

<sup>1</sup> "Ukraine Prosecutor General Lutsenko admits U.S. ambassador didn't give him a do not prosecute list," UNIAN, Apr. 18, 2019, <https://www.unian.info/politics/10520715-ukraine-prosecutor-general-lutsenko-admits-u-s-ambassador-didn-t-give-him-a-do-not-prosecute-list.html>; U.S. State Department, "US-Ukraine Joint Statement," Nov. 2018, <https://ua.usembassy.gov/joint-statement-on-u-s-ukraine-strategic-partnership/>.

<sup>2</sup> See Giuliani says State Dept vowed to investigate after he gave Ukraine docs to Pompeo, *NBC News*, Oct. 3, 2019, <https://www.nbcnews.com/politics/trump-impeachment-inquiry-giuliani-says-state-dept-vowed-investigate-after-he->

AMERICAN  
 OVERSIGHT

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Throughout these events, you have said nothing publicly in her defense. You have not made a single remark defending Ambassador Yovanovitch or heralding her more than three decades of service to the American people. According to recent reports, you even supported her early removal—which, in the absence of any logical explanation, appears tied to the President's effort to use U.S. policy in Ukraine to pursue his own personal political interests.<sup>3</sup>

Yet, Ambassador Yovanovitch is only the latest example of Department personnel who have paid a heavy price for their continued public service. Recently, the State Department's Inspector General detailed the mistreatment and politically-motivated targeting of career personnel by senior officials at the Department.<sup>4</sup> One of the senior officials the Department found to have engaged in these practices, Assistant Secretary Kevin Moley, has suffered no consequence, while dozens of employees suffered damage to their careers, and worse.

Over the last several weeks, you have been similarly silent about the rights of whistleblowers to come forward about matters of national security. Despite the President's comments equating whistleblowers with "spies," you said nothing. After he made false and misleading statements about the whistleblower, you did not, as the former head of the CIA, point out that this whistleblower did precisely what someone who wants to report an urgent concern about harm to national security should do: follow the law.

As the head of our country's global diplomatic force, your refusal to stand up for career employees and support whistleblowers is disturbing. It is incumbent on you not to further the President's damaging and unfounded attacks, but to send a simple message to everyone who works at the Department of State—that you have their backs.

We hope that you will swiftly, and clearly, send that message far and wide.

**In case there is any confusion: those working for the federal government, including civil service, foreign service, and contractors, who possess information they reasonably believe demonstrates a violation of law; gross mismanagement; gross waste of funds; abuse of authority; a substantial and specific danger to public health or safety; or censorship related to research, analysis, or technical information are protected and entitled under federal law to raise those concerns through authorized channels, including to Congress or Inspectors General, without fear of retribution or reprisal. Even in cases where information is required to be kept secret in the interest of national defense or the conduct of foreign affairs, disclosure to Inspectors General or the Special Counsel is still protected.**

It is imperative that senior officials throughout government ensure that employees know their rights, and that employees are not discouraged from raising valid concerns.

[gave-ukraine-n1061931](https://twitter.com/donaldjtrumpjr/status/1109850575926108161); Donald Trump Jr., @DonaldJTrumpJr, <https://twitter.com/donaldjtrumpjr/status/1109850575926108161>, Mar. 24, 2019.

<sup>3</sup> Rebecca Ballhaus et al., "Trump Ordered Ukraine Ambassador Removed After Complaints From Giuliani, Others," *The Wall Street Journal*, Oct. 3, 2019.

<sup>4</sup> U.S. Department of State, Office of Inspector General, Review of Allegations of Politicized and Other Improper Personnel Practices in the Bureau of International Organization Affairs, Aug. 2019.

Your failure to intervene when the White House or your subordinates targeted career personnel and the Department's efforts earlier this week to prevent Ambassador Gordon Sondland from testifying before Congress send the wrong message. As you know, Ambassador Yovanovitch is scheduled to testify to Congress. We call on you to abide by the ethos you have set for the Department, to stand up for those who serve in the Department and the nation, and not further impede their testimony.

In addition, to assist the Committee with its oversight responsibilities over the Department's operations and treatment of employees, we request that you respond to the following, no later than October 16, 2019.

1. What, specifically, has the State Department done to protect Ambassador Yovanovitch from political retaliation?
2. How did you defend Ambassador Yovanovitch in the face of attempts by President Trump, the President's agent Rudy Giuliani, and Donald Trump, Jr. to discredit her by echoing now-debunked conspiracy theories?
3. Following the July 25, 2019 call, did you speak with President Trump about his comments regarding Ambassador Yovanovitch, particularly that she "was bad news" and "[s]he's [Yovanovitch] going to go through some things"?
4. Why was Ambassador Yovanovitch removed early from her post in Kyiv?
5. Did you receive instructions from the President, the White House, or the President's agent Rudy Giuliani regarding Ambassador Yovanovitch prior to her removal on May 7, 2019? If so, what were they?
6. Do you agree with the President's statements on whistleblowers?
7. What are you doing to ensure that all Department personnel know and understand their rights under federal whistleblower laws?
8. Has the Department issued any communications or documents to staff regarding whistleblower rights or communicating or cooperating with Congress since January 2017? If so, please provide a copy of each such communication or document.

We look forward to your immediate responses on this important matter.

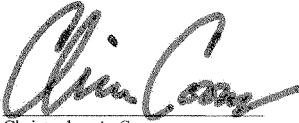
Sincerely,

  
Robert Menendez  
Ranking Member

  
Jeanne Shaheen  
United States Senator

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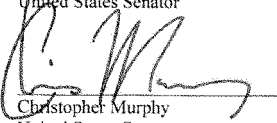
Christopher A. Coons  
United States Senator



Tim Kaine  
United States Senator



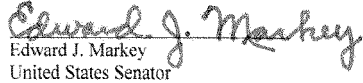
Jeffrey A. Merkley  
United States Senator




Christopher Murphy  
United States Senator



Tom Udall  
United States Senator



Edward J. Markey  
United States Senator



Cory A. Booker  
United States Senator



Benjamin L. Cardin  
United States Senator

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RELEASE IN PART B6

**From:** Michele Kelemen [REDACTED]  
**Sent:** Tue, 15 Oct 2019 17:20:58 +0000  
**To:** [REDACTED]  
**Subject:** would you be willing

B6

B6

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To chat on background with my colleague David Welna? Contacts below?  
He's been asked to do a profile of Mike McKinley and I'm not sure where to steer him. Just FYI -- I told him that when I was talking with McKinley OFF record just a few weeks ago, he was defending Pompeo's handling of Yovanovitch, to a certain extent, telling me that Pompeo delayed pulling her back and then made sure she had another option -- at Georgetown. But since that was off record, I can't use it. Thought maybe you may have heard similar from him and can confirm? Or maybe he said things differently to you?  
Here's David's contacts  
David Welna National Security Correspondent | [REDACTED]

B6







**RELEASE IN FULL**

United States Department of State

Washington, D.C. 20520

October 10, 2019

Lawrence S. Robbins  
Robbins, Russell, Englert, Orseck, Untereiner & Sauber LLP  
2000 K Street NW  
4th Floor  
Washington, DC 20006

Dear Mr. Robbins:

On October 8, 2019, Counsel to the President Pat Cipollone sent the attached letter to the Speaker of the House, Chairman Schiff, Chairman Engel, and Chairman Cummings concerning various demands, including a request for the voluntary appearance of your client for a deposition as part of the so-called "impeachment inquiry."

In that letter, Mr. Cipollone identified several procedural, legal, and constitutional infirmities in the process by which the Committees have purported to pursue an impeachment inquiry. As a threshold matter, the Committees have refused to allow counsel from the Department of State to be present during the testimony of current and former employees, a practice that the Executive Branch has previously recognized to be unconstitutional. *See Attempted Exclusion of Agency Counsel from Congressional Depositions of Agency Employees*, 43 Op. O.L.C. \_\_ (May 23, 2019), available at <https://www.justice.gov/olc/file/1171671/download>. Refusing to permit the attendance of counsel from the employees' agency impermissibly hobbles the ability of the Executive Branch to protect constitutionally-based confidentiality interests and privileges. More broadly, Mr. Cipollone noted that the Committees have no authority to pursue an impeachment in the first place, because the House of Representatives has not authorized them to pursue such an inquiry. He further explained that the Committees' purported inquiry is completely bereft of the procedures historically provided by the House in past impeachment inquiries.

In light of these defects, Mr. Cipollone wrote: "Consistent with the duties of the President of the United States, and in particular his obligation to preserve the rights of future occupants of his office, President Trump cannot permit his Administration to participate in this partisan inquiry under these circumstances." As Mr. Cipollone noted in his letter, "[c]urrent and former State Department officials are duty bound to protect the confidentiality interests of the Executive Branch." Accordingly, in accordance with applicable law, I write on behalf of the Department of State, pursuant to the President's instruction reflected in Mr. Cipollone's letter, to instruct your client (as a current employee of the Department of State), consistent with Mr. Cipollone's letter, not to appear before the Committees under the present circumstances.

This instruction likewise applies to the Committees' request that your client produce documents or other records, irrespective of their format or the device on which they may be stored. As stated in the October 1, 2019 letter from Secretary Pompeo to the Chairmen of the three



Committees, “the requested records constitute the property of the Department of State and are subject to restrictions on the unauthorized disclosure of classified information and various Executive Branch privileges.” *See, e.g.*, 5 FAM 414.8, 5 FAM 474.1(a), and 12 FAM 543. Moreover, these document requests duplicate the subpoena that was previously served on the Secretary. The Department is the legal custodian of these records and is responsible for determining whether and what to produce in response to the subpoena. The Department is in the process of collecting such records and will respond to the Committees, as appropriate and consistent with Mr. Cipollone’s letter. In this regard, it is important to remind your client of the responsibility under the Federal Records Act to ensure that all Department records currently in your client’s possession, in whatever format, are transferred into the control and possession of the Department as soon as possible, to the extent such action has not already been undertaken.

As noted in Mr. Cipollone’s letter, should the present circumstances change we stand ready to update this guidance as warranted.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "Brian Bulatao". The signature is fluid and cursive, with a large, stylized initial 'B'.

Brian Bulatao  
Undersecretary of State



RELEASE IN FULL

## THE WHITE HOUSE

WASHINGTON

October 8, 2019

The Honorable Nancy Pelosi  
Speaker  
House of Representatives  
Washington, D.C. 20515

The Honorable Eliot L. Engel  
Chairman  
House Foreign Affairs Committee  
Washington, D.C. 20515

The Honorable Adam B. Schiff  
Chairman  
House Permanent Select Committee on  
Intelligence  
Washington, D.C. 20515

The Honorable Elijah E. Cummings  
Chairman  
House Committee on Oversight and Reform  
Washington, D.C. 20515

Dear Madam Speaker and Messrs. Chairmen:

I write on behalf of President Donald J. Trump in response to your numerous, legally unsupported demands made as part of what you have labeled—contrary to the Constitution of the United States and all past bipartisan precedent—as an “impeachment inquiry.” As you know, you have designed and implemented your inquiry in a manner that violates fundamental fairness and constitutionally mandated due process.

For example, you have denied the President the right to cross-examine witnesses, to call witnesses, to receive transcripts of testimony, to have access to evidence, to have counsel present, and many other basic rights guaranteed to all Americans. You have conducted your proceedings in secret. You have violated civil liberties and the separation of powers by threatening Executive Branch officials, claiming that you will seek to punish those who exercise fundamental constitutional rights and prerogatives. All of this violates the Constitution, the rule of law, and *every past precedent*. Never before in our history has the House of Representatives—under the control of either political party—taken the American people down the dangerous path you seem determined to pursue.

Put simply, you seek to overturn the results of the 2016 election and deprive the American people of the President they have freely chosen. Many Democrats now apparently view impeachment not only as a means to undo the democratic results of the *last* election, but as a strategy to influence the *next* election, which is barely more than a year away. As one member of Congress explained, he is “concerned that if we don’t impeach the President, he will get reelected.”<sup>1</sup> Your highly partisan and unconstitutional effort threatens grave and lasting damage to our democratic institutions, to our system of free elections, and to the American people.

<sup>1</sup> Interview with Rep. Al Green, MSNBC (May 5, 2019).

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For his part, President Trump took the unprecedented step of providing the public transparency by declassifying and releasing the record of his call with President Zelenskyy of Ukraine. The record clearly established that the call was completely appropriate and that there is no basis for your inquiry. The fact that there was nothing wrong with the call was also powerfully confirmed by Chairman Schiff's decision to create a false version of the call and read it to the American people at a congressional hearing, without disclosing that he was simply making it all up.

In addition, information has recently come to light that the whistleblower had contact with Chairman Schiff's office before filing the complaint. His initial denial of such contact caused *The Washington Post* to conclude that Chairman Schiff "clearly made a statement that was false."<sup>2</sup> In any event, the American people understand that Chairman Schiff cannot covertly assist with the submission of a complaint, mislead the public about his involvement, read a counterfeit version of the call to the American people, and then pretend to sit in judgment as a neutral "investigator."

For these reasons, President Trump and his Administration reject your baseless, unconstitutional efforts to overturn the democratic process. Your unprecedented actions have left the President with no choice. In order to fulfill his duties to the American people, the Constitution, the Executive Branch, and all future occupants of the Office of the Presidency, President Trump and his Administration cannot participate in your partisan and unconstitutional inquiry under these circumstances.

**I. Your "Inquiry" Is Constitutionally Invalid and Violates Basic Due Process Rights and the Separation of Powers.**

Your inquiry is constitutionally invalid and a violation of due process. In the history of our Nation, the House of Representatives has never attempted to launch an impeachment inquiry against the President without a majority of the House taking political accountability for that decision by voting to authorize such a dramatic constitutional step. Here, House leadership claims to have initiated the gravest inter-branch conflict contemplated under our Constitution by means of nothing more than a press conference at which the Speaker of the House simply announced an "official impeachment inquiry."<sup>3</sup> Your contrived process is unprecedented in the

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<sup>2</sup> Glenn Kessler, *Schiff's False Claim His Committee Had Not Spoken to the Whistleblower*, Wash. Post (Oct. 4, 2019).

<sup>3</sup> Press Release, Nancy Pelosi, Pelosi Remarks Announcing Impeachment Inquiry (Sept. 24, 2019).

Speaker Pelosi, and Chairmen Engel, Schiff, and  
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history of the Nation,<sup>4</sup> and lacks the necessary authorization for a valid impeachment proceeding.<sup>5</sup>

The Committees' inquiry also suffers from a separate, fatal defect. Despite Speaker Pelosi's commitment to "treat the President with fairness,"<sup>6</sup> the Committees have not established any procedures affording the President even the most basic protections demanded by due process under the Constitution and by fundamental fairness. Chairman Nadler of the House Judiciary Committee has expressly acknowledged, at least when the President was a member of his own party, that "[t]he power of impeachment . . . demands a rigorous level of due process,"<sup>7</sup> and that in this context "due process mean[s] . . . the right to be informed of the law, of the charges against you, the right to confront the witnesses against you, to call your own witnesses, and to have the assistance of counsel."<sup>7</sup> All of these procedures have been abandoned here.

These due process rights are not a matter of discretion for the Committees to dispense with at will. To the contrary, they are constitutional requirements. The Supreme Court has recognized that due process protections apply to all congressional investigations.<sup>8</sup> Indeed, it has been recognized that the Due Process Clause applies to impeachment proceedings.<sup>9</sup> And precedent for the rights to cross-examine witnesses, call witnesses, and present evidence dates back nearly 150 years.<sup>10</sup> Yet the Committees have decided to deny the President these elementary rights and protections that form the basis of the American justice system and are protected by the Constitution. No citizen—including the President—should be treated this unfairly.

<sup>4</sup> Since the Founding of the Republic, under unbroken practice, the House has never undertaken the solemn responsibility of an impeachment inquiry directed at the President without first adopting a resolution authorizing a committee to begin the inquiry. The inquiries into the impeachments of Presidents Andrew Johnson and Bill Clinton proceeded in multiple phases, each authorized by a separate House resolution. See, e.g., H.R. Res. 581, 105th Cong. (1998); H.R. Res. 525, 105th Cong. (1998); III Hinds' Precedents §§ 2400-02, 2408, 2412. And before the Judiciary Committee initiated an impeachment inquiry into President Richard Nixon, the Committee's chairman rightfully recognized that "a[n] [inquiry] resolution has always been passed by the House" and "is a necessary step." III Deschler's Precedents ch. 14, § 15.2. The House then satisfied that requirement by adopting H.R. Res. 803, 93rd Cong. (1974).

<sup>5</sup> Chairman Nadler has recognized the importance of taking a vote in the House before beginning a presidential impeachment inquiry. At the outset of the Clinton impeachment inquiry—where a floor vote was held—he argued that even limiting the time for *debate* before that vote was improper and that "an hour debate on this momentous decision is an insult to the American people and another sign that this is not going to be fair." 144 Cong. Rec. H10018 (daily ed. Oct. 8, 1998) (statement of Rep. Jerrold Nadler). Here, the House has dispensed with any vote and any debate *at all*.

<sup>6</sup> Press Release, Nancy Pelosi, Transcript of Pelosi Weekly Press Conference Today (Oct. 2, 2019).

<sup>7</sup> *Examining the Allegations of Misconduct Against IRS Commissioner John Koskinen (Part II): Hearing Before the H. Comm. on the Judiciary*, 114th Cong. 3 (2016) (statement of Rep. Jerrold Nadler); *Background and History of Impeachment: Hearing Before the Subcomm. on the Constitution of the H. Comm. on the Judiciary*, 105th Cong. 17 (1998) (statement of Rep. Jerrold Nadler).

<sup>8</sup> See, e.g., *Watkins v. United States*, 354 U.S. 178, 188 (1957); *Quinn v. United States*, 349 U.S. 155, 161 (1955).

<sup>9</sup> See *Hastings v. United States*, 802 F. Supp. 490, 504 (D.D.C. 1992), vacated on other grounds by *Hastings v. United States*, 988 F.2d 1280 (D.C. Cir. 1993).

<sup>10</sup> See, e.g., III Hinds' Precedents § 2445.



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To comply with the Constitution's demands, appropriate procedures would include—at a minimum—the right to see all evidence, to present evidence, to call witnesses, to have counsel present at all hearings, to cross-examine all witnesses, to make objections relating to the examination of witnesses or the admissibility of testimony and evidence, and to respond to evidence and testimony. Likewise, the Committees must provide for the disclosure of all evidence favorable to the President and all evidence bearing on the credibility of witnesses called to testify in the inquiry. The Committees' current procedures provide *none* of these basic constitutional rights.

In addition, the House has not provided the Committees' Ranking Members with the authority to issue subpoenas. The right of the minority to issue subpoenas—subject to the same rules as the majority—has been the standard, bipartisan practice in all recent resolutions authorizing presidential impeachment inquiries.<sup>11</sup> The House's failure to provide co-equal subpoena power in this case ensures that any inquiry will be nothing more than a one-sided effort by House Democrats to gather information favorable to their views and to selectively release it as only they determine. The House's utter disregard for the established procedural safeguards followed in past impeachment inquiries shows that the current proceedings are nothing more than an unconstitutional exercise in political theater.

As if denying the President basic procedural protections were not enough, the Committees have also resorted to threats and intimidation against potential Executive Branch witnesses. Threats by the Committees against Executive Branch witnesses who assert common and longstanding rights destroy the integrity of the process and brazenly violate fundamental due process. In letters to State Department employees, the Committees have ominously threatened—without any legal basis and before the Committees even issued a subpoena—that “[a]ny failure to appear” in response to a mere letter *request* for a deposition “shall constitute evidence of obstruction.”<sup>12</sup> Worse, the Committees have broadly threatened that if State Department officials attempt to insist upon the right for the Department to have an agency lawyer present at depositions to protect legitimate Executive Branch confidentiality interests—or apparently if they make any effort to protect those confidentiality interests *at all*—these officials will have their salaries withheld.<sup>13</sup>

The suggestion that it would somehow be problematic for anyone to raise long-established Executive Branch confidentiality interests and privileges in response to a request for a deposition is legally unfounded. Not surprisingly, the Office of Legal Counsel at the Department of Justice has made clear on multiple occasions that employees of the Executive Branch who have been instructed not to appear or not to provide particular testimony before Congress based on privileges or immunities of the Executive Branch cannot be punished for

<sup>11</sup> H.R. Res. 581, 105th Cong. (1998); H.R. Res. 803, 93rd Cong. (1974).

<sup>12</sup> Letter from Elliot L. Engel, Chairman, House Committee on Foreign Affairs, et al., to George P. Kent, Deputy Assistant Secretary, U.S. Department of State 1 (Sept. 27, 2019).

<sup>13</sup> See Letter from Elliot L. Engel, Chairman, House Committee on Foreign Affairs, et al., to John J. Sullivan, Deputy Secretary of State 2-3 (Oct. 1, 2019).



Speaker Pelosi, and Chairmen Engel, Schiff, and  
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Page 5

following such instructions.<sup>14</sup> Current and former State Department officials are duty bound to protect the confidentiality interests of the Executive Branch, and the Office of Legal Counsel has also recognized that it is unconstitutional to exclude agency counsel from participating in congressional depositions.<sup>15</sup> In addition, any attempt to withhold an official's salary for the assertion of such interests would be unprecedented and unconstitutional.<sup>16</sup> The Committees' assertions on these points amount to nothing more than strong-arm tactics designed to rush proceedings without any regard for due process and the rights of individuals and of the Executive Branch. Threats aimed at intimidating individuals who assert these basic rights are attacks on civil liberties that should profoundly concern all Americans.

## **II. The Invalid "Impeachment Inquiry" Plainly Seeks To Reverse the Election of 2016 and To Influence the Election of 2020.**

The effort to impeach President Trump—without regard to any evidence of his actions in office—is a naked political strategy that began the day he was inaugurated, and perhaps even before.<sup>17</sup> In fact, your transparent rush to judgment, lack of democratically accountable authorization, and violation of basic rights in the current proceedings make clear the illegitimate, partisan purpose of this purported "impeachment inquiry." The Founders, however, did not create the extraordinary mechanism of impeachment so it could be used by a political party that feared for its prospects against the sitting President in the next election. The decision as to who will be elected President in 2020 should rest with the people of the United States, exactly where the Constitution places it.

Democrats themselves used to recognize the dire implications of impeachment for the Nation. For example, in the past, Chairman Nadler has explained:

The effect of impeachment is to overturn the popular will of the voters. We must not overturn an election and remove a President from office except to defend our system of government or our constitutional liberties against a dire threat, and we must not do so without an overwhelming consensus of the American people. There must never be a narrowly voted impeachment or an impeachment supported by one of our major political parties and opposed by another. Such an impeachment will produce divisiveness and bitterness in our

<sup>14</sup> See, e.g., *Testimonial Immunity Before Congress of the Former Counsel to the President*, 43 Op. O.L.C. \_\_, \*19 (May 20, 2019); *Prosecution for Contempt of Congress of an Executive Branch Official Who Has Asserted a Claim of Executive Privilege*, 8 Op. O.L.C. 101, 102, 140 (1984) ("The Executive, however, must be free from the threat of criminal prosecution if its right to assert executive privilege is to have any practical substance.")

<sup>15</sup> *Attempted Exclusion of Agency Counsel from Congressional Depositions of Agency Employees*, 43 Op. O.L.C. \_\_, \*1-2 (May 23, 2019).

<sup>16</sup> See President Donald J. Trump, Statement by the President on Signing the Consolidated Appropriations Act, 2019 (Feb. 15, 2019); *Authority of Agency Officials To Prohibit Employees From Providing Information to Congress*, 28 Op. O.L.C. 79, 80 (2004).

<sup>17</sup> See Matea Gold, *The Campaign To Impeach President Trump Has Begun*, Wash. Post (Jan. 21, 2017) ("At the moment the new commander in chief was sworn in, a campaign to build public support for his impeachment went live . . .").



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politics for years to come, and will call into question the very legitimacy of our political institutions.<sup>18</sup>

Unfortunately, the President's political opponents now seem eager to transform impeachment from an extraordinary remedy that should rarely be contemplated into a conventional political weapon to be deployed for partisan gain. These actions are a far cry from what our Founders envisioned when they vested Congress with the "important trust" of considering impeachment.<sup>19</sup> Precisely because it nullifies the outcome of the democratic process, impeachment of the President is fraught with the risk of deepening divisions in the country and creating long-lasting rifts in the body politic.<sup>20</sup> Unfortunately, you are now playing out exactly the partisan rush to judgment that the Founders so strongly warned against. The American people deserve much better than this.

### III. There Is No Legitimate Basis for Your "Impeachment Inquiry"; Instead, the Committees' Actions Raise Serious Questions.

It is transparent that you have resorted to such unprecedented and unconstitutional procedures because you know that a fair process would expose the lack of any basis for your inquiry. Your current effort is founded on a completely appropriate call on July 25, 2019, between President Trump and President Zelenskyy of Ukraine. Without waiting to see what was actually said on the call, a press conference was held announcing an "impeachment inquiry" based on falsehoods and misinformation about the call.<sup>21</sup> To rebut those falsehoods, and to provide transparency to the American people, President Trump secured agreement from the Government of Ukraine and took the extraordinary step of declassifying and publicly releasing the record of the call. That record clearly established that the call was completely appropriate, that the President did nothing wrong, and that there is no basis for an impeachment inquiry. At a joint press conference shortly after the call's public release, President Zelenskyy agreed that the call was appropriate.<sup>22</sup> In addition, the Department of Justice announced that officials there had reviewed the call after a referral for an alleged campaign finance law violation and found no such violation.<sup>23</sup>

Perhaps the best evidence that there was no wrongdoing on the call is the fact that, after the actual record of the call was released, Chairman Schiff chose to concoct a false version of the call and to read his made-up transcript to the American people at a public hearing.<sup>24</sup> This

<sup>18</sup> 144 Cong. Rec. H11786 (daily ed. Dec. 18, 1998) (statement of Rep. Jerrold Nadler).

<sup>19</sup> The Federalist No. 65 (Alexander Hamilton).

<sup>20</sup> See *id.*

<sup>21</sup> Press Release, Nancy Pelosi, Pelosi Remarks Announcing Impeachment Inquiry (Sept. 24, 2019).

<sup>22</sup> *President Trump Meeting with Ukrainian President*, C-SPAN (Sept. 25, 2019).

<sup>23</sup> Statement of Kerri Kupec, Director, Office of Public Affairs, Dept. of Justice (Sept. 25, 2019) ("[T]he Department's Criminal Division reviewed the official record of the call and determined, based on the facts and applicable law, that there was no campaign finance violation and that no further action was warranted.").

<sup>24</sup> See *Whistleblower Disclosure: Hearing Before the H. Select Comm. on Intel.*, 116th Cong. (Sept. 26, 2019) (statement of Rep. Adam Schiff).





Speaker Pelosi, and Chairmen Engel, Schiff, and  
 Cummings  
 Page 7

powerfully confirms there is no issue with the actual call. Otherwise, why would Chairman Schiff feel the need to make up his own version? The Chairman's action only further undermines the public's confidence in the fairness of any inquiry before his Committee.

The real problem, as we are now learning, is that Chairman Schiff's office, and perhaps others—despite initial denials—were involved in advising the whistleblower before the complaint was filed. Initially, when asked on national television about interactions with the whistleblower, Chairman Schiff unequivocally stated that “[w]e have not spoken directly with the whistleblower. We would like to.”<sup>25</sup>

Now, however, it has been reported that the whistleblower approached the House Intelligence Committee with information—and received guidance from the Committee—*before* filing a complaint with the Inspector General.<sup>26</sup> As a result, *The Washington Post* concluded that Chairman Schiff “clearly made a statement that was false.”<sup>27</sup> Anyone who was involved in the preparation or submission of the whistleblower's complaint cannot possibly act as a fair and impartial judge in the same matter—particularly after misleading the American people about his involvement.

All of this raises serious questions that must be investigated. However, the Committees are preventing anyone, including the minority, from looking into these critically important matters. At the very least, Chairman Schiff must immediately make available all documents relating to these issues. After all, the American people have a right to know about the Committees' own actions with respect to these matters.

\* \* \*

Given that your inquiry lacks any legitimate constitutional foundation, any pretense of fairness, or even the most elementary due process protections, the Executive Branch cannot be expected to participate in it. Because participating in this inquiry under the current unconstitutional posture would inflict lasting institutional harm on the Executive Branch and lasting damage to the separation of powers, you have left the President no choice. Consistent with the duties of the President of the United States, and in particular his obligation to preserve the rights of future occupants of his office, President Trump cannot permit his Administration to participate in this partisan inquiry under these circumstances.

Your recent letter to the Acting White House Chief of Staff argues that “[e]ven if an impeachment inquiry were not underway,” the Oversight Committee may seek this information

<sup>25</sup> Interview with Chairman Adam Schiff, MSNBC (Sept. 17, 2019).

<sup>26</sup> Julian Barnes, et al., *Schiff Got Early Account of Accusations as Whistle-Blower's Concerns Grew*, N.Y. Times (Oct. 2, 2019).

<sup>27</sup> Glenn Kessler, *Schiff's False Claim His Committee Had Not Spoken to the Whistleblower*, Wash. Post (Oct. 4, 2019).



Speaker Pelosi, and Chairmen Engel, Schiff, and  
Cummings  
Page 8

as a matter of the established oversight process.<sup>28</sup> Respectfully, the Committees cannot have it both ways. The letter comes from the Chairmen of three different Committees, it transmits a subpoena “[p]ursuant to the House of Representatives’ impeachment inquiry,” it recites that the documents will “be collected as part of the House’s impeachment inquiry,” and it asserts that the documents will be “shared among the Committees, as well as with the Committee on the Judiciary as appropriate.”<sup>29</sup> The letter is in no way directed at collecting information in aid of legislation, and you simply cannot expect to rely on oversight authority to gather information for an unauthorized impeachment inquiry that conflicts with all historical precedent and rides roughshod over due process and the separation of powers. If the Committees wish to return to the regular order of oversight requests, we stand ready to engage in that process as we have in the past, in a manner consistent with well-established bipartisan constitutional protections and a respect for the separation of powers enshrined in our Constitution.

For the foregoing reasons, the President cannot allow your constitutionally illegitimate proceedings to distract him and those in the Executive Branch from their work on behalf of the American people. The President has a country to lead. The American people elected him to do this job, and he remains focused on fulfilling his promises to the American people. He has important work that he must continue on their behalf, both at home and around the world, including continuing strong economic growth, extending historically low levels of unemployment, negotiating trade deals, fixing our broken immigration system, lowering prescription drug prices, and addressing mass shooting violence. We hope that, in light of the many deficiencies we have identified in your proceedings, you will abandon the current invalid efforts to pursue an impeachment inquiry and join the President in focusing on the many important goals that matter to the American people.

Sincerely,  
  
Pat A. Cipollone  
Counsel to the President

cc: Hon. Kevin McCarthy, Minority Leader, House of Representatives  
Hon. Michael McCaul, Ranking Member, House Committee on Foreign Affairs  
Hon. Devin Nunes, Ranking Member, House Permanent Select Committee on  
Intelligence  
Hon. Jim Jordan, Ranking Member, House Committee on Oversight and Reform

<sup>28</sup> Letter from Elijah E. Cummings, Chairman, House Committee on Oversight and Government Reform, et al., to John Michael Mulvaney, Acting Chief of Staff to the President 3 (Oct. 4, 2019).

<sup>29</sup> *Id.* at 1.

AMERICAN  
OVERSIGHT

The Freedom of Information Act (5 USC 552)

## FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |                                                             |
|----------------|-------------------------------------------------------------|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(c)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester

NO DISCERNIBLE CLASSIFICATION

**From:** John Herbst [redacted] B6  
**Sent:** Monday, April 08, 2019 12:39 PM  
**To:** Hale, David  
**Cc:** rpopadiuk [redacted] spifer [redacted] pascualce [redacted] wtaylor [redacted]  
**Subject:** John and Mariella Tefft [redacted]  
**Attachments:** For Your Consideration  
Letter to Under Secretary Hale.pdf

RELEASE IN  
PART B6

NO DISCERNIBLE CLASSIFICATION

John Herbst | Director, Eurasia Center

B6

RELEASE IN PART  
B6

Ambassador (Ret.)

1030 15th Street, NW, 12th Floor | Washington, DC 20005

T: [REDACTED] | Cell: [REDACTED] | Email: [REDACTED]

[www.facebook.com/AtlanticCouncil](https://www.facebook.com/AtlanticCouncil) | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) | [www.AtlanticCouncil.org](https://www.AtlanticCouncil.org)

C06846011 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846011 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

B6

**From:** Hale, David  
**Sent:** Monday, April 08, 2019 12:44 PM  
**To:** Brechbuhl, Thomas U  
**Cc:** Reeker, Philip T  
**Subject:** Fwd: For Your Consideration  
**Attachments:** image003.jpg; ATT00001.htm; Letter to Under Secretary Hale.pdf; ATT00002.htm

RELEASE IN PART  
 B6

FYI

Sent from my iPhone

Begin forwarded message:

**From:** John Herbst  
**Date:** April 8, 2019 at 12:38:39 PM EDT  
**To:** "haledm"  
**Cc:** "ropadiuk"; "spifer"; "pascualce"; "wtaylor"; John and Mariella Teffi  
**Subject:** For Your Consideration

Dear David,

Attached is a letter signed by five of our colleagues and myself regarding the ungrounded attack by the Ukrainian Prosecutor General on our Embassy in Kyiv and Ambassador Yovanovitch. This attack was in fact prompted by the Ambassador and Embassy's strong advocacy of Washington policy on reform issues. Thank you for our attention to this this.

If you have any questions and would like further information, we are at your disposal.

Best,  
 John

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846011 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

NO DISCERNIBLE CLASSIFICATION

**From:** Reeker, Philip T  
**Sent:** Monday, April 08, 2019 7:37 PM  
**To:** Brechbuhl, Thomas U  
**Subject:** Fw: Six former Ambassadors to Ukraine sign letter of support to P and C  
**Attachments:** Letter to Under Secretary Hale.pdf

RELEASE IN PART  
 B5, B6

Ulrich,  
 Thanks for meeting this afternoon.

B5

I'm reachable over this period in Stuttgart, Brussels, Ramstein, and Berlin.

B6

Best, Phil

Sent from my BlackBerry 10 smartphone.

Attached is a letter signed by five of our colleagues and myself regarding the ungrounded attack by the Ukrainian Prosecutor General on our Embassy in Kyiv and Ambassador Yovanovitch. This attack was in fact prompted by the Ambassador and Embassy's strong advocacy of Washington policy on reform issues. Thank you for our attention to this this.

If you have any questions and would like further information, we are at your disposal.

Best,

John Herbst

Official

UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846009 Date: 11/22/2019

AMERICAN  
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C06846009 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846009 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

NO DISCERNIBLE CLASSIFICATION

2 B6

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846009 Date: 11/22/2019

AMERICAN  
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C06845996 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845996 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

RELEASE IN  
PART B6

B6

**From:** John Herbst  
**Sent:** Tuesday, April 09, 2019 3:16 AM  
**To:** Brechbuhl, Thomas U  
**Cc:**  
**Subject:** Fwd: For Your Consideration  
**Attachments:** image003.jpg; ATT00001.htm; Letter to Under Secretary Hale.pdf; ATT00002.htm

NO DISCERNIBLE CLASSIFICATION

1

AMERICAN  
OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845996 Date: 11/22/2019

C06845998 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No: C06845998 Date: 11/22/2019

RELEASE IN PART  
B6



# Atlantic Council

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No: C06845998 Date: 11/22/2019

AMERICAN  
OVERSIGHT

John Herbst | Director, Eurasia Center

Ambassador (Ret.)

B6.

1030 15th Street, NW, 12th Floor | Washington, DC 20005

T: [REDACTED] | Cell: [REDACTED] | Email: [REDACTED]

[www.facebook.com/AtlanticCouncil](https://www.facebook.com/AtlanticCouncil) | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) |  
[www.AtlanticCouncil.org](https://www.AtlanticCouncil.org)

C06846006 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846006 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

**From:** Hale, David  
**Sent:** Monday, April 15, 2019 10:54 AM  
**To:** [REDACTED]  
**Subject:** FW: For Your Consideration  
**Attachments:** Letter to Under Secretary Hale.pdf

RELEASE IN PART  
 B6

B6

Not sure what to do with this

**From:** John Herbst  
**Sent:** Monday, April 8, 2019 12:39 PM  
**To:** Hale, David  
**Cc:** rpopadiuk [REDACTED]; spifer [REDACTED]; pascualce [REDACTED]; wtaylor [REDACTED]; John and Mariella Tefft;  
**Subject:** For Your Consideration

Dear David,

Attached is a letter signed by five of our colleagues and myself regarding the ungrounded attack by the Ukrainian Prosecutor General on our Embassy in Kyiv and Ambassador Yovanovitch. This attack was in fact prompted by the Ambassador and Embassy's strong advocacy of Washington policy on reform issues. Thank you for our attention to this this.

If you have any questions and would like further information, we are at your disposal.

Best,  
 John



## Atlantic Council

John Herbst | Director, Eurasia Center  
 Ambassador (Ret.)  
 1030 15th Street, NW, 12th Floor | Washington, DC 20005  
 T: [REDACTED] | Cell: [REDACTED] | Email: [REDACTED]  
[www.facebook.com/AtlanticCouncil](https://www.facebook.com/AtlanticCouncil) | [@JohnEdHerbst](https://twitter.com/JohnEdHerbst) | [www.AtlanticCouncil.org](https://www.AtlanticCouncil.org)

NO DISCERNIBLE CLASSIFICATION

1

AMERICAN  
 OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846006 Date: 11/22/2019

C06846020 FIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846020 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

From: Brechbuhl, Thomas U  
 Sent: Tuesday, April 09, 2019 11:59 PM  
 To: John Herbst  
 Cc: [REDACTED]  
 Subject: Re: For Your Consideration

RELEASE IN PART B6

B6

Thank you for your concern and offer. It's much appreciated.

Ulrich

T. Ulrich Brechbühl  
 Counselor, U.S. Department of State

On Apr 9, 2019, at 2:19 AM, John Herbst [REDACTED] wrote:

Dear Mr. Brechbuhl,

We provide this for your information. As we offered David, we would be happy to provide further information to you if you would like.

Thanks for your attention to this.

Best,  
 John

From: John Herbst [REDACTED]  
 Date: April 8, 2019 at 12:38:39 PM EDT  
 To: "haledm" [REDACTED]  
 Cc: "rpopadiuk" [REDACTED]  
 "spifer" [REDACTED]  
 "pascualce" [REDACTED]  
 "wtaylor" [REDACTED] John and  
 Mariella Tefft [REDACTED]  
 Subject: For Your Consideration

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 If you have any questions and would like further information, we are at your disposal.

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846020 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

C06846020 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846020 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

Best,  
John

John Herbst | Director, Eurasia Center  
Ambassador (Ret.)  
1030 15th Street, NW, 12th Floor | Washington, DC  
20005

B6

T: [REDACTED] | Cell: [REDACTED] Email:

[www.facebook.com/AtlanticCouncil/](https://www.facebook.com/AtlanticCouncil/) | [@JohnEdHerbst](#) |  
[www.AtlanticCouncil.org](https://www.AtlanticCouncil.org)

NO DISCERNIBLE CLASSIFICATION

2

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846020 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06846010 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846010 Date: 11/22/2019

The Hon. David Hale  
Under Secretary for Political Affairs  
2201 C St NW  
Washington, DC 20520

**RELEASE IN FULL**

April 5, 2019

Dear Under Secretary Hale:

We are former US Ambassadors to Ukraine who have served under both Republican and Democratic presidents, and who follow events in Ukraine carefully. We are deeply concerned by recent uncorroborated allegations questioning the work of the US Embassy in Kyiv and Ambassador Marie Yovanovitch. These charges are simply wrong.

Two articles by John Solomon -- in The Hill over the past several weeks and echoed in other media -- claim without credible evidence, that the US Embassy in Kyiv under Yovanovitch interfered in the Prosecutor General of Ukraine's ability to investigate anti-corruption cases. Based on hearsay, the articles also claim that the ambassador criticized President Donald Trump in talks with Ukrainian interlocutors. There are several problems with these claims.

First, Ambassador Yovanovitch is an esteemed career diplomat who has served both Republican and Democratic presidents. She was appointed ambassador to Ukraine by President Barack Obama. President George W. Bush appointed her as ambassador to both Kyrgyzstan and Armenia. She has a flawless record as a diplomat. We know her well. She is a professional of the highest integrity.

The second problem is that the articles evidence no familiarity with Ukrainian politics. Solomon takes the word of Ukraine's Prosecutor General at face value and describes him as a reformer. But many Ukrainian and foreign observers regard his reform record as prosecutor general as, at best, mixed.

Finally, the charges that Ambassador Yovanovitch badmouthed President Trump come from a letter that then-Congressman Pete Sessions sent to Secretary of State Mike Pompeo last May. As you know, the Secretary took no action, presumably because there was no evidence.

The alleged behavior attributed to Ambassador Yovanovitch are simply foreign to her ethics and professional demeanor. But we know that there are vested interests in Ukraine clearly unhappy with her championing the US government's strong reform advocacy, and these vested interests are not above smear tactics.

If the attack on Ambassador Yovanovitch were to gain traction, it would be an injustice against her and against reformers in Ukraine. Millions of Ukrainians took to the streets in the 2014 Maidan Revolution to bring transparency and accountability to Ukrainian politics. An alliance to sustain this momentum ensued -- of civil society (NGOs like the Anti-Corruption Action Center and Transparency International Ukraine); reformers at the ministerial level (like former Finance Minister Natalie Jaresko, former Finance Minister Oleksandr Danylyuk, Naftohaz Chief Andriy Kobolyev, and Health Minister Ulana Suprun); and the international community (including the IMF, the EBRD, the United States, and the European Union). This alliance has made it easier for the top leadership -- President Poroshenko and first Prime Ministers Yatsenyuk and then Groisman -- to make difficult reform decisions. Progress has not always been even, but the direction toward a democratically controlled Ukraine is profound.

The stories against the US Embassy and Ambassador Yovanovitch were partly designed to weaken that alliance; if the alliance is weaker, it will be harder to take effective action against corruption. Simple justice demands that that not happen.

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846010 Date: 11/22/2019

AMERICAN  
OVERSIGHT

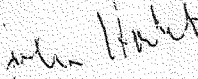
Further, allowing these attacks on a US ambassador in the field to stand is a strong rebuttal for senior officials in the US government who work to strengthen the structure of our diplomatic engagement. We look forward to hearing that support.

We trust that we are marching to the choir. As we wanted to be sure that you have our views.

Sincerely,



Roman Popadiuk  
First U.S. Ambassador to Ukraine



John Herbst  
Fifth U.S. Ambassador to Ukraine

Steven Pifer  
Third U.S. Ambassador to Ukraine



Charles P. Cook  
Fourth U.S. Ambassador to Ukraine

William Taylor  
Sixth U.S. Ambassador to Ukraine

J. Telford  
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brehm

AMERICAN  
OVERSIGHT



C06846008 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846008 Date: 11/22/2019

The Hon. David Hale  
Under Secretary for Political Affairs  
2201 C St NW  
Washington, DC 20520

RELEASE IN FULL

April 5, 2019

Dear Under Secretary Hale:

We are former US Ambassadors to Ukraine who have served under both Republican and Democratic presidents, and who follow events in Ukraine carefully. We are deeply concerned by recent uncorroborated allegations questioning the work of the US Embassy in Kyiv and Ambassador Marie Yovanovitch. These charges are simply wrong.

Two articles by John Solomon – in The Hill over the past several weeks and echoed in other media – claim without credible evidence, that the US Embassy in Kyiv under Yovanovitch interfered in the Prosecutor General of Ukraine's ability to investigate anti-corruption cases. Based on hearsay, the articles also claim that the ambassador criticized President Donald Trump in talks with Ukrainian interlocutors. There are several problems with these claims.

First, Ambassador Yovanovitch is an esteemed career diplomat who has served both Republican and Democratic presidents. She was appointed ambassador to Ukraine by President Barack Obama. President George W. Bush appointed her as ambassador to both Kyrgyzstan and Armenia. She has a flawless record as a diplomat. We know her well. She is a professional of the highest integrity.

The second problem is that the articles evidence no familiarity with Ukrainian politics. Solomon takes the word of Ukraine's Prosecutor General at face value and describes him as a reformer. But many Ukrainian and foreign observers regard his reform record as prosecutor general as, at best, mixed.

Finally, the charges that Ambassador Yovanovitch badmouthed President Trump come from a letter that then-Congressman Pete Sessions sent to Secretary of State Mike Pompeo last May. As you know, the Secretary took no action, presumably because there was no evidence.

The alleged behavior attributed to Ambassador Yovanovitch are simply foreign to her ethics and professional demeanor. But we know that there are vested interests in Ukraine clearly unhappy with her championing the US government's strong reform advocacy, and these vested interests are not above smear tactics.

If the attack on Ambassador Yovanovitch were to gain traction, it would be an injustice against her and against reformers in Ukraine. Millions of Ukrainians took to the streets in the 2014 Maidan Revolution to bring transparency and accountability to Ukrainian politics. An alliance to sustain this momentum ensued – of civil society (NGOs like the Anti-Corruption Action Center and Transparency International Ukraine); reformers at the ministerial level (like former Finance Minister Natalie Jaresko, former Finance Minister Oleksandr Danylyuk, Naftohaz Chief Andriy Kobolyev, and Health Minister Ulana Suptun); and the international community (including the IMF, the EBRD, the United States, and the European Union). This alliance has made it easier for the top leadership – President Poroshenko and first Prime Ministers Yatsenyuk and then Groisman – to make difficult reform decisions. Progress has not always been even, but the direction toward a democratically controlled Ukraine is profound.

The stories against the US Embassy and Ambassador Yovanovitch were partly designed to weaken that alliance; if the alliance is weaker, it will be harder to take effective action against corruption. Simple justice demands that that not happen.

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846008 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06846008 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846008 Date: 11/22/2019

Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

We trust that we are preaching to the choir. But we wanted to be sure that you have our views.

Sincerely,



Roman Popadiuk  
First U.S. Ambassador to Ukraine



John Herbst  
Fifth U.S. Ambassador to Ukraine

Steven Pifer  
Third U.S. Ambassador to Ukraine

William Taylor  
Sixth U.S. Ambassador to Ukraine



Carl P. Pascual  
Fourth U.S. Ambassador to Ukraine

J. Tefft  
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brubaker

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846008 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06846014 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No: C06846014 Date: 11/22/2019

The Hon. David Hale  
Under Secretary for Political Affairs  
2201 C St NW  
Washington, DC 20520

RELEASE IN FULL

April 5, 2019

Dear Under Secretary Hale:

We are former US Ambassadors to Ukraine who have served under both Republican and Democratic presidents, and who follow events in Ukraine carefully. We are deeply concerned by recent uncorroborated allegations questioning the work of the US Embassy in Kyiv and Ambassador Marie Yovanovitch. These charges are simply wrong.

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The second problem is that the articles evidence no familiarity with Ukrainian politics. Solomon takes the word of Ukraine's Prosecutor General at face value and describes him as a reformer. But many Ukrainian and foreign observers regard his reform record as prosecutor general as, at best, mixed.

Finally, the charges that Ambassador Yovanovitch badmouthed President Trump come from a letter that then-Congressman Pete Sessions sent to Secretary of State Mike Pompeo last May. As you know, the Secretary took no action, presumably because there was no evidence.

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The stories against the US Embassy and Ambassador Yovanovitch were partly designed to weaken that alliance; if the alliance is weaker, it will be harder to take effective action against corruption. Simple justice demands that that not happen.

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No: C06846014 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06846014 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846014 Date: 11/22/2019

Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

We trust that we are parroting to the choir. But we wanted to be sure that you have our views.

Sincerely,



Roman Popadiuk  
First U.S. Ambassador to Ukraine



John Herbst  
Fifth U.S. Ambassador to Ukraine

Steven Pifer  
Third U.S. Ambassador to Ukraine



Steven Pifer  
Fourth U.S. Ambassador to Ukraine

William Taylor  
Sixth U.S. Ambassador to Ukraine

J. Jeff  
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brubaker

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846014 Date: 11/22/2019

AMERICAN  
OVERSIGHT

The Hon. David Hale  
Under Secretary for Political Affairs  
2201 C St NW  
Washington, DC 20520

RELEASE IN  
FULL

April 5, 2019

Dear Under Secretary Hale:

We are former US Ambassadors to Ukraine who have served under both Republican and Democratic presidents, and who follow events in Ukraine carefully. We are deeply concerned by recent uncorroborated allegations questioning the work of the US Embassy in Kyiv and Ambassador Marie Yovanovitch. These charges are simply wrong.

Two articles by John Solomon -- in The Hill over the past several weeks and echoed in other media -- claim without credible evidence, that the US Embassy in Kyiv under Yovanovitch interfered in the Prosecutor General of Ukraine's ability to investigate anti-corruption cases. Based on hearsay, the articles also claim that the ambassador criticized President Donald Trump in talks with Ukrainian interlocutors. There are several problems with these claims.

First, Ambassador Yovanovitch is an esteemed career diplomat who has served both Republican and Democratic presidents. She was appointed ambassador to Ukraine by President Barack Obama. President George W. Bush appointed her as ambassador to both Kyrgyzstan and Armenia. She has a flawless record as a diplomat. We know her well. She is a professional of the highest integrity.

The second problem is that the articles evidence no familiarity with Ukrainian politics. Solomon takes the word of Ukraine's Prosecutor General at face value and describes him as a reformer. But many Ukrainian and foreign observers regard his reform record as prosecutor general as, at best, mixed.

Finally, the charges that Ambassador Yovanovitch badmouthed President Trump come from a letter that then-Congressman Pete Sessions sent to Secretary of State Mike Pompeo last May. As you know, the Secretary took no action, presumably because there was no evidence.

The alleged behavior attributed to Ambassador Yovanovitch are simply foreign to her ethics and professional demeanor. But we know that there are vested interests in Ukraine clearly unhappy with her championing the US government's strong reform advocacy, and these vested interests are not above smear tactics.

If the attack on Ambassador Yovanovitch were to gain traction, it would be an injustice against her and against reformers in Ukraine. Millions of Ukrainians took to the streets in the 2014 Maidan Revolution to bring transparency and accountability to Ukrainian politics. An alliance to sustain this momentum ensued -- of civil society (NGOs like the Anti-Corruption Action Center and Transparency International Ukraine); reformers at the ministerial level (like former Finance Minister Natalie Jaresko, former Finance Minister Oleksandr Danylyuk, Naftohaz Chief Andriy Kobolyev, and Health Minister Ulana Suprun); and the international community (including the IMF, the EBRD, the United States, and the European Union). This alliance has made it easier for the top leadership -- President Poroshenko and first Prime Ministers Yatsenyuk and then Groisman -- to make difficult reform decisions. Progress has not always been even, but the direction toward a democratically controlled Ukraine is profound.

The stories against the US Embassy and Ambassador Yovanovitch were partly designed to weaken that alliance; if the alliance is weaker, it will be harder to take effective action against corruption. Simple justice demands that that not happen.

C06845995 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845995 Date: 11/22/2019

Further, allowing these attacks on a US ambassador in the field to stand without strong rebuttal from senior officials in the US government weakens the structure of our diplomatic engagement. We look forward to hearing that support.

We trust that we are preaching to the choir. But we wanted to be sure that you have our views.

Sincerely,

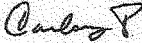


Roman Prokudin  
First U.S. Ambassador to Ukraine



John Herbst  
Fifth U.S. Ambassador to Ukraine

Steven Pifer  
Third U.S. Ambassador to Ukraine



Charles P.  
Fourth U.S. Ambassador to Ukraine

William Taylor  
Sixth U.S. Ambassador to Ukraine

J. Tefft  
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brzezinski

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845995 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06845999IFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845999 Date: 11/22/2019

The Hon. David Hale  
Under Secretary for Political Affairs  
2201 C St NW  
Washington, DC 20520

RELEASE IN FULL

April 5, 2019

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UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845999 Date: 11/22/2019

AMERICAN  
OVERSIGHT

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Sincerely,




Roman Prokudin  
First U.S. Ambassador to Ukraine



John Herbst  
Fifth U.S. Ambassador to Ukraine

Steven Pifer  
Third U.S. Ambassador to Ukraine

William Taylor  
Sixth U.S. Ambassador to Ukraine



Carole Pissarel  
Fourth U.S. Ambassador to Ukraine

J. Toff  
Seventh U.S. Ambassador to Ukraine

cc: Counselor T. Ulrich Brubaker

AMERICAN  
OVERSIGHT



C06846004 U.S. Department of State Case No. F-2019-06332 Doc No. C06846004 Date: 11/22/2019



UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846004 Date: 11/22/2019

AMERICAN  
OVERSIGHT

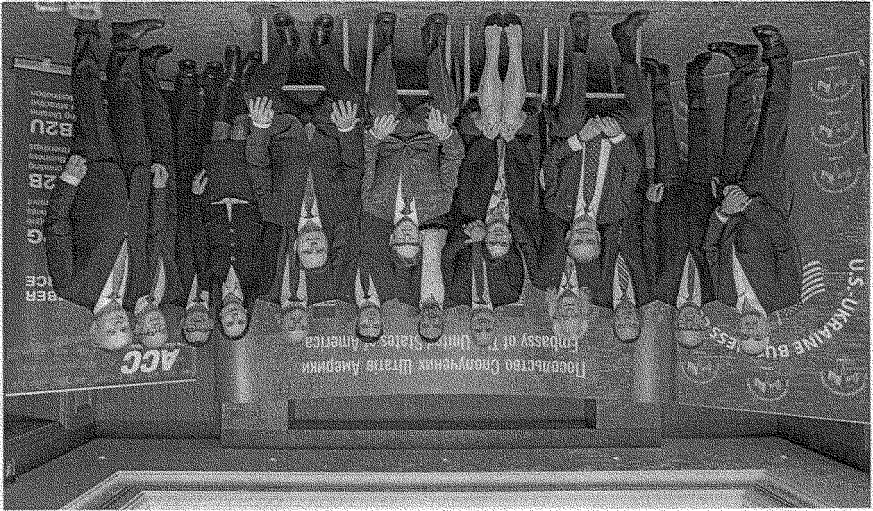
C06846004 U.S. Department of State Case No. F-2019-06332 Doc No. C06846004 Date: 11/22/2019



UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846004 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06846004 U.S. Department of State Case No. F-2019-06332 Doc No. C06846004 Date: 11/22/2019



UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846004 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06846012 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846012 Date: 11/22/2019

RELEASE IN  
FULL



# Atlantic Council

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06846012 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06845985 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845985 Date: 11/22/2019

**From:** Faulkner, Charles S.  
**Sent:** Friday, April 12, 2019 5:20 PM  
**To:** Kenna, Lisa D.  
**Cc:** Taylor, Mary Elizabeth; [REDACTED] Moore, Jessica L; Hale, David; Reeker, Philip T; Brechbuhl, Thomas U; Buangan, Richard L  
**Subject:** Letter for Secretary Pompeo from Reps. Hoyer and Engel

B6

Please see the attached letter to Secretary Pompeo from Majority Leader Hoyer and Chairman Engel concerning Amb. Yovanovitch.

We are informed the Congressmen do not intend to make this letter public.

Charles

RELEASE IN PART B6

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845985 Date: 11/22/2019

**Congress of the United States**  
**Washington, DC 20515**

April 12, 2019

The Honorable Michael R. Pompeo  
 Secretary  
 U.S. Department of State  
 2201 C Street NW  
 Washington, DC 20520

**RELEASE IN FULL**

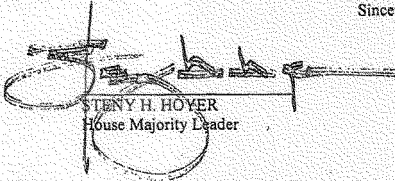
Dear Mr. Secretary:

We write to express our deep concern regarding a series of attacks on career foreign service officers currently stationed at or nominated to become U.S. ambassadors. In what is an increasingly disturbing trend, we have seen foreign officials attack our own U.S. ambassadors and foreign service officers for performing their jobs and advancing U.S. interests.

We are particularly concerned about the outrageous efforts by Ukrainian officials to impugn the efforts of our representative in that country, Ambassador Masha Yovanovitch, whom we know to be a dedicated public servant and diplomat of the highest caliber. Prior to her appointment in Ukraine, Ambassador Yovanovitch twice served honorably and effectively as U.S. Ambassador, first nominated by President George W. Bush. During her time in Ukraine, she has been a tireless advocate for governance and economic reforms and the fight against corruption, critical for the long-term success of democracy in Ukraine and the country's ability to counter Russian aggression. It is disappointing that certain political actors within Ukraine have criticized Ambassador Yovanovitch, given her focus on anti-corruption efforts that touch on their interests.

It is critical that State Department leadership support our ambassadors and foreign service officers in the field and make clear that they will not be subjected to any politically motivated attacks. We urge you to make public statements personally defending your team and those who represent our country from these spurious disparagements. These public servants represent our finest values, and they should know they have the full backing of the U.S. government in performing their critical mission.

Sincerely,



STENY H. HOYER  
 House Majority Leader



ELIOT L. ENGEL  
 Chairman, House Foreign Affairs  
 Committee

PRINTED ON RECYCLED PAPER

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845983 Date: 11/22/2019

AMERICAN  
**OVERSIGHT**

C06845982-ED U.S. Department of State Case No. F-2019-06332 Doc No: C06845982 Date: 11/22/2019

**From:** Moore, Jessica L  
**Sent:** Friday, April 12, 2019 7:48 PM  
**To:** [REDACTED] Taylor, Mary Elizabeth; Faulkner, Charles S  
**Cc:** [REDACTED]  
**Subject:** RE: Letter for Secretary Pompeo from Reps. Hoyer and Engel  
**Attachments:** Letter to Pompeo from ELE Hoyer on Amb Yovanovitch.pdf

B6

Attached!

RELEASE IN PART B6

Official  
 UNCLASSIFIED

**From:** [REDACTED]  
**Sent:** Friday, April 12, 2019 6:24 PM  
**To:** Taylor, Mary Elizabeth <[REDACTED]> Faulkner, Charles S <[REDACTED]>  
**Cc:** Moore, Jessica L <[REDACTED]>  
**Subject:** Re: Letter for Secretary Pompeo from Reps. Hoyer and Engel

Can someone send me the letter? I was not on the below email.

Get [Outlook](#) for iOS

**From:** Taylor, Mary Elizabeth <[REDACTED]>  
**Sent:** Friday, April 12, 2019 6:15 PM  
**To:** Faulkner, Charles S <[REDACTED]>  
**Cc:** Moore, Jessica L <[REDACTED]>  
**Subject:** RE: Letter for Secretary Pompeo from Reps. Hoyer and Engel

Can we pls ensure this is tasked and turned around quickly?

Official  
 UNCLASSIFIED

**From:** Faulkner, Charles S <[REDACTED]>  
**Sent:** Friday, April 12, 2019 5:20 PM  
**To:** Kenna, Lisa D <[REDACTED]>  
**Cc:** Taylor, Mary Elizabeth <[REDACTED]> Moore, Jessica L <[REDACTED]>  
 [REDACTED]; Hale, David <[REDACTED]> Reeker, Philip T <[REDACTED]>

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No: C06845982 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

C06845982 UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845982 Date: 11/22/2019

[REDACTED] Brechbuhl, Thomas U [REDACTED] Buangan,  
Richard L [REDACTED]

**Subject:** Letter for Secretary Pompeo from Reps. Hoyer and Engel

Please see the attached letter to Secretary Pompeo from Majority Leader Hoyer and Chairman Engel concerning Amb. Yovanovitch.

We are informed the Congressmen do not intend to make this letter public.

Charles

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845982 Date: 11/22/2019

AMERICAN  
OVERSIGHT



**Congress of the United States**  
**Washington, DC 20515**

April 12, 2019

RELEASE IN FULL

The Honorable Michael R. Pompeo  
 Secretary  
 U.S. Department of State  
 2201 C Street NW  
 Washington, DC 20520

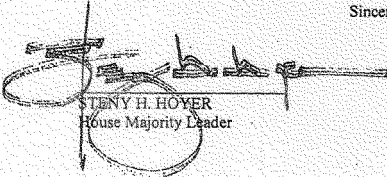
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Sincerely,



STENY H. HOYER  
 House Majority Leader



ELIOT L. ENGEL  
 Chairman, House Foreign Affairs  
 Committee

PRINTED ON RECYCLED PAPER

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc No. C06845986 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852094 Date: 11/22/2019

**From:** Edward Verona [REDACTED]  
**Sent:** Friday, November 16, 2018 12:39 PM  
**To:** McKinley, P Michael  
**Subject:** RV: Verona Photos  
**Attachments:** Verona.jpg; Sec Perry Group Photo.JPG; IMG\_9533.JPG

B6

RELEASE IN PART  
 B6

Mike,

I thought you might be interested in the photos of my meeting in Kyiv on Monday with Secretary Perry. We had a good meeting with the business community and with Ambassador Yovanovitch, who was a colleague back when I was at Embassy Moscow. Trident Acquisitions is moving forward with our investment goals in the U.S. and Ukraine.

Regards, Ed

**De:** [REDACTED]  
**Enviado el:** Jueves, 15 de noviembre de 2018 04:34 a. m.  
**Para:** Edward Verona  
**Asunto:** Fwd: Verona Photos

Looking good cheers.

[Get Outlook for iOS](#)

**From:** [REDACTED]  
**Sent:** Thursday, November 15, 2018 13:29  
**To:** [REDACTED]  
**Subject:** Verona Photos

Feel free to send these to Ed if you like.

[REDACTED]  
 Senior Commercial Officer  
 U.S. Commercial Service  
 U.S. Embassy  
 Kyiv, Ukraine  
 [REDACTED]

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852094 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852102 Date: 11/22/2019

**From:** McKinley, P Michael  
**Sent:** Friday, November 16, 2018 1:25 PM  
**To:** Edward Verona  
**Subject:** RE: Verona Photos

RELEASE IN PART  
 B6

Thanks for sharing. All looking good!

Official  
 UNCLASSIFIED

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**Sent:** Friday, November 16, 2018 12:39 PM  
**To:** McKinley, P Michael  
**Subject:** RV: Verona Photos

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**De:** [REDACTED]  
**Enviado el:** jueves, 15 de noviembre de 2018 04:34 a. m.  
**Para:** Edward Verona [REDACTED]  
**Asunto:** Fwd: Verona Photos

B6

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Get [Outlook for iOS](#)

**From:** [REDACTED]  
**Sent:** Thursday, November 15, 2018 13:29  
**To:** [REDACTED]  
**Subject:** Verona Photos

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 Senior Commercial Officer  
 U.S. Commercial Service  
 U.S. Embassy  
 Kyiv, Ukraine  
 [REDACTED]

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852102 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852092 Date: 11/22/2019

United States Department of State



Washington, D.C. 20520

JUN 11 2019

The Honorable  
 Steny H. Hoyer  
 Majority Leader  
 House of Representatives  
 Washington, DC 20515

RELEASE IN PART B5, B6
---------------------------

Dear Mr. Hoyer:

Thank you for your April 12 letter regarding the attacks on Ambassador Marie Yovanovitch in the Ukrainian press.

Ambassador Yovanovitch was due to complete her three-year diplomatic assignment in Kyiv this summer. She departed post on May 20, which aligns with the presidential transition in Ukraine. The team at U.S. Embassy Kyiv, and in Washington, continues to work closely with the Ukrainian government and civil society to strengthen the U.S.-Ukraine partnership.

The United States remains committed to engaging with partners in Ukraine to address the persistent corruption that threatens to undermine Ukraine's national security, prosperity, and democratic development.

We hope this information is helpful to you. Please let us know if we may be of further assistance.

Sincerely,

Mary Elizabeth Taylor  
 Assistant Secretary  
 Bureau of Legislative Affairs

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852092 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852092 Date: 11/22/2019



United States Department of State

Washington, D.C. 20520

The Honorable  
 Eliot L. Engel, Chairman  
 Committee on Foreign Affairs  
 House of Representatives  
 Washington, DC 20515

JUN 11 2019

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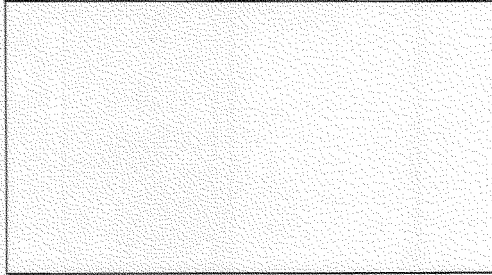
AMERICAN  
 OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852092 Date: 11/22/2019

Approved:

Drafted:

Cleared:



B5, B6

UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852092 Date: 11/22/2019

AMERICAN  
OVERSIGHT

Classification: UNCLASSIFIED

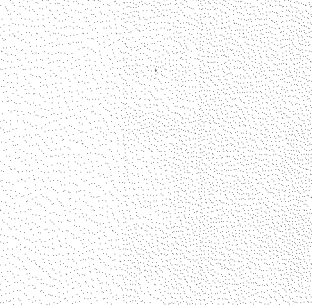
6/3/2019 2:47 PM

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☒ Headers/Footers    ☐ Attachments  
☒ Transmittal Letters  
 On H Package: ☐ High Side or ☒ Low Side

INITIALS      DATE

B5, B6



UNCLASSIFIED U.S. Department of State Case No. F-2019-06332 Doc. No. C06852092 Date: 11/22/2019

The Freedom of Information Act (5 USC 552)

## FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |                                                             |
|----------------|-------------------------------------------------------------|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(c)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

## Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester



C06848445 UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848445 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

RELEASE IN PART  
B6

B6

From: [REDACTED]  
 Sent: Tuesday, March 26, 2019 9:54 AM  
 To: S\_All  
 Subject: 9:53am -- S finished speaking with Rudy Giuliani

Office Manager to the Secretary of State  
 U.S. Department of State  
 2201 C Street NW | Washington, D. C. | 20520  
 Office: [REDACTED] Email: [REDACTED]

Official  
 UNCLASSIFIED

From: [REDACTED]  
 Sent: Tuesday, March 26, 2019 9:49 AM  
 To: S\_All  
 Subject: 9:49am -- S is speaking with Rudy Giuliani

Office Manager to the Secretary of State  
 U.S. Department of State  
 2201 C Street NW | Washington, D. C. | 20520  
 Office: [REDACTED] Email: [REDACTED]

Official  
 UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848445 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

C06848470 UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848470 Date: 11/22/2019

RELEASE IN PART B5, B6

NO DISCERNIBLE CLASSIFICATION

B6

**From:** Operations Center  
**Sent:** Friday, March 29, 2019 7:42 AM  
**To:** [REDACTED]  
**Cc:** SES-O\_S-Calls  
**Subject:** RE: S Calls Update 03/29

Dear Sally,

Understood, will do.

[REDACTED]  
 Watch Officer | Operations Center  
 U.S. Department of State  
 202-647-1512

Official - SBU **DECONTROLLED**  
 UNCLASSIFIED

**From:** [REDACTED]  
**Sent:** Friday, March 29, 2019 7:40 AM  
**To:** Operations Center ; SES-O\_S-Calls  
**Subject:** RE: S Calls Update 03/29

Good morning Ops Colleagues,

[REDACTED] We can remove this from the tracker.

B5

Thanks!

[REDACTED]  
 Office Manager to the Secretary of State  
 U.S. Department of State  
 2201 C Street NW | Washington, D. C. | 20520  
**Office:** [REDACTED] **Email:** [REDACTED]

Official - SBU  
 UNCLASSIFIED

**From:** Operations Center <OperationsCenter@state.gov>  
**Sent:** Friday, March 29, 2019 4:31 AM  
**To:** SES-O\_S-Calls <SES-O\_S-Calls@state.gov>  
**Subject:** S Calls Update 03/29

**Confirmed Friday 03/29**

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848470 Date: 11/22/2019

C06848470 UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848470 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

S 4 Mr. R. Giuliani 0815 ET  
S 4 Mr. W. McKelvey 1230 ET  
S 4 Mr. RJ Harris 1250 ET  
S 4 Mr. G. Allison 1400 ET  
S 4 Mr. W. Gates 1435 ET

Confirmed Monday 04/01

S 4 Representative Nunes (R-CA) 1330 ET (SECURE)  
S 4 Reverend O'Callaghan 1445 ET/1345 Wichita

Confirmed Wednesday 04/03

S 4 Secretary of the Treasury Mnuchin 0730 ET (SECURE)

Ops is tracking the following calls

[REDACTED] - pending S staff

B5

Regards,

State Department Operations Center  
(202) 647-1512

Official - SBU  
UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

B6

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848470 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06848451 UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848451 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

RELEASE IN PART  
B6

B6

**From:** Operations Center  
**Sent:** Wednesday, April 03, 2019 12:37 PM  
**To:** S. Special Assistants;  
**Cc:** SES-O  
**Subject:** March 2019 S Call Metrics  
**Attachments:** 2019 March S Call Metrics.xlsx

Dear Colleagues,

Please find attached the "S Call Metrics" as tracked by Ops for the period 03/01/19 - 03/31/19.

Regards,

Watch Officer  
State Department Operations Center  
202-647-1512

NO DISCERNIBLE CLASSIFICATION

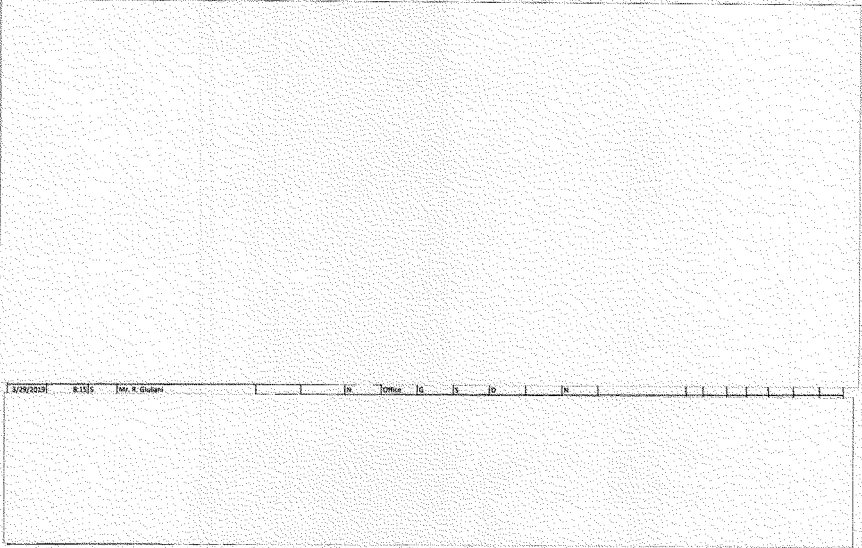
1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848451 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06848453 UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848453 Date: 11/22/2019

RELEASE IN  
FULL



UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848453 Date: 11/22/2019

C06848457 IED U.S. Department of State Case No. F-2019-06331 Doc No. C06848457 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

RELEASE IN PART  
B6

[redacted]

---

**From:** [redacted]  
**Sent:** Thursday, March 28, 2019 9:27 AM  
**To:** JoAnn.Zafonte [redacted]  
**Cc:** S\_Scheduling [redacted]  
**Subject:** Mr. Giuliani call with Secretary Pompeo

B6

Hello!

Mr. Giuliani just called our office and confirmed via phone a call with Secretary Pompeo for tomorrow, Friday March 29 at 8:15am ET.

We will plan for the State Operations Center to connect the call to Mr. Giuliani's cell.

Please let us know if there's any changes to Mr. Giuliani's schedule.

Many thanks,

[redacted]

Office of the Secretary  
U.S. Department of State  
[redacted]

Official  
UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848457 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06848449 UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848449 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

RELEASE IN PART  
B6

B6

From: [REDACTED]  
 Sent: Thursday, March 28, 2019 9:37 AM  
 To: Hale, David  
 Subject: FW: S requested to speak with Mr. R. Giuliani

DECONTROLLED

Official - SBU  
 UNCLASSIFIED

From: Operations Center  
 Sent: Thursday, March 28, 2019 9:34 AM  
 To: SES-O, S-Calls  
 Subject: S requested to speak with Mr. R. Giuliani

Ops will build the call Friday, March 29, at 0815 ET.

Please advise if there will be any monitors.

Regards,

Watch Officer  
 State Department Operations Center  
 (202) 647-1512

Official - SBU  
 UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1 B6

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848449 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

C06848443 IED U.S. Department of State Case No. F-2019-06331 Doc No. C06848443 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

RELEASE IN PART  
B6

B6

From: [REDACTED]  
 Sent: Friday, March 29, 2019 8:19 AM  
 To: S.All  
 Subject: 8:18am -- S finished speaking with Mr. R. Giuliani

Office Manager to the Secretary of State  
 U.S. Department of State  
 2201 C Street NW | Washington, D.C. 120520  
 Office: [REDACTED] Email: [REDACTED]

Official - SBU  
 UNCLASSIFIED

From: Operations Center  
 Sent: Friday, March 29, 2019 8:15 AM  
 To: SES-O\_S-Calls  
 Subject: S is speaking with Mr. R. Giuliani

Call up: 0814 ET

State Department Operations Center  
 (202) 647-1512

Official - SBU  
 UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06848443 Date: 11/22/2019

AMERICAN  
OVERSIGHT



C06845975 FIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845975 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

From: [REDACTED]  
 Sent: Thursday, March 28, 2019 6:42 PM  
 To: S\_All  
 Subject: 3/29 Calendars  
 Attachments: 3.29 Two Weeks.pdf; 3.29 Long Range.pdf

RELEASE IN PART  
 B5, B6

B6

Team,

Two weeks and long range attached. Updates below.

Best,

[REDACTED]  
 Office of the Secretary  
 U.S. Department of State  
 [REDACTED]

ADDED

3/29 0815-0835 CALL: Rudy Giuliani  
 4/1 1330-1350 CALL: Chairman Nunes (R-CA-22) (SECURE)

B5

4/2 (H) 1745-1815 MTG: Jen, Lisa, and C  
 4/3 (H) 0706-0717 INTERVIEW: Phone Interview with Hugh Hewitt (TAPED)  
 4/3 0730-0800 CALL: DCIA Haspel (SECURE)  
 4/3 (H) 1700-1730 BILAT: Canadian FM Freeland  
 4/4 (H) 0745-0815 BILAT: French FM Le Drian

B5

REMOVED

CANCELLED: MTG: Cabinet Quad

UPDATED

4/1 1600-1630 MTG: A/SecDef Shanahan  
 4/9 (H) 0730-0830 MTG: Cabinet Quad  
 4/10 (H) 1500-1515 CALL: Secretary Mnuchin (SECURE)  
 4/10 (H) 0930-1230 HEARING: Senate Foreign Relations Committee Hearing

Official

UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845975 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

March 29, 2019		March 2019							April 2019						
		Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
Friday			3	4	5	6	7	1	2		1	2	3	4	5
		10	11	12	13	14	15	16	9	7	8	9	10	11	12
		17	18	19	20	21	22	23	16	14	15	16	17	18	19
		24	25	26	27	28	29	30	23	21	22	23	24	25	26
								31	30	28	29	30			

RELEASE  
IN PART B6

FRIDAY	
29	
← From Mar 19 NCAA Division Men's Basketball Tournament (March 19 - April 8) To Apr 8	
National Vietnam War Veterans Day	
RESCHEDULE MTG: Libya External Office CDA Peter Beddo (S Outer Office)	
6 AM	
7	0645-0700 ENR HST 0720-0730 MTG: D. M. Exacian, S/A McKinley, S/A Khan 0710-0720 MTG: Heather Nauert; S Inner Office 0730-0750 MTG: Comm Meetings; S Outer Office
8	0800-0815 MTG: S/A Kizak; S Inner Office 0815-0835 CALL: Rudy Giuliani; Nonsecure, State Ops to connect 0835-0900 Executive Time; S Inner Office 0900-1000 MEET WITH MIKE Treaty Room
10	1015-1100 MTG: Blumenthal with SRS Jeffrey S Inner Office
11	1100-1130 MTG: AJS Braker, S/A Abrams, CDA Storg; S Outer Office 1130-1230 Executive Time S Inner Office
12 PM	
1	1230-1245 INTERVIEW: Phone Interview with Wallace Mulcahy, The Patriot News; N 1250-1345 MTG: M Family Deep Dive S Outer Office 1250-1259 INTERVIEW: Phone Interview with BJ Harris, WHIP 530 (TAPED); Nonsecure
2	1400-1420 CALL: Graham Allison; Nonsecure, State Ops to connect 1435-1455 CALL: Bill Gates, Gates Foundation; Nonsecure, State Ops to connect
3	1500-1530 BILAT: Meeting with UAE Amb. Youssef Otaiba; S Outer Office
4	1600-1630 BILAT: Republic of Korea FM Kang; S Outer Office 1630-1700 Executive Time; S Inner Office
5	1700-1715 ENR Residence
6	
7	
8	
9	

1

3/28/2019 6:40 PM

B6

C06845972/IFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845972 Date: 11/22/2019

RELEASE IN PART  
B6

**Subject:** 0949-0953 CALL: Rudy Giuliani  
**Location:** Non-Secure; S OMS direct dial  
**Start:** Tue 3/26/2019 9:49 AM  
**End:** Tue 3/26/2019 9:53 AM  
**Recurrence:** (none)  
**Organizer:** S   
**Categories:** S - Calls

B6

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845972 Date: 11/22/2019

C06845979 FIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845979 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

From: [REDACTED]  
 Sent: Thursday, March 28, 2019 6:49 PM  
 To: S. All  
 Subject: COB Notes - 28 March 2019

RELEASE IN PART B6

B6

Hi team --

No pending calls or stray items for tomorrow (at this time). The Secretary took his book with Schedule Card home.

Have a great evening!

29 March 2019 SecState Pompeo

0645-0700 ENR HST  
 0710-0720 MTG: Heather Nauert  
 0720-0730 MTG: O, M, ExecSec, S/A McKinley, S/A Kissel, S/A Bulatao  
 0735-0750 MTG: Comms Meeting  
 0800-0815 MTG: S/A Kissel  
 0815-0835 CALL: Rudy Giuliani  
 0835-0900 Executive Time  
 0900-1000 MEET WITH MIKE [Treaty Room]  
 1015-1100 MTG: Biweekly with SRS Jeffrey  
 1100-1130 MTG: A/S Breier, S/A Abrams, CDA Story  
 1130-1230 Executive Time  
 1230-1245 INTERVIEW: Phone Interview with Wallace McKelvey, The Patriot News  
 1250-1259 INTERVIEW: Phone Interview with RJ Harris, WHP 580 (Taped)  
 1300-1345 MTG: M Family Deep Dive  
 1400-1420 CALL: Graham Allison  
 1435-1455 CALL: Bill Gates, Gates Foundation  
 1500-1530 BILAT: Meeting with UAE Amb. Yousef Otaiba  
 1600-1630 BILAT: Republic of Korea FM Kang  
 1630-1700 Executive Time  
 1700-1715 ENR Residence

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845979 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06845979 FIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845979 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

[REDACTED]  
Office Manager to the Secretary of State  
U.S. Department of State | 2201 C Street NW, Washington, D.C. 20520  
[REDACTED] [S\\_Scheduling@state.gov](mailto:S_Scheduling@state.gov)

B6

Official  
UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

2

[REDACTED]  
UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845979 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06845973 FIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845973 Date: 11/22/2019

**Subject:** 0814-0818 CALL: Rudy Giuliani  
**Location:** Nonsecure, State Ops to connect  
**Start:** Fri 3/29/2019 8:14 AM  
**End:** Fri 3/29/2019 8:18 AM  
**Recurrence:** (none)  
**Organizer:** S   
**Categories:** S - Calls

RELEASE IN PART  
B6

B6

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845973 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06845980 FIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845980 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

RELEASE IN PART B6

From: [REDACTED]  
 Sent: Thursday, March 28, 2019 11:26 AM  
 To: S\_Scheduling  
 Cc: S\_SpecialAssistants  
 Subject: Schedule Card: 29 March 2019

B6

Hello Team --

The Schedule Card for tomorrow is saved in our share drive. Thx. Hill

**28 March 2019 SecState Pompeo**

0645-0700 ENR HST  
 0710-0720 MTG: Heather Nauert  
 0720-0730 MTG: D, M, ExecSec, S/A McKinley, S/A Kissel, S/A Bulatao  
 0735-0750 MTG: Comms Meeting  
 0800-0815 MTG: S/A Kissel  
 0815-0835 CALL: Rudy Giuliani  
 0835-0900 Executive Time  
 0900-1000 MEET WITH MIKE (Treaty Room)  
 1015-1100 MTG: Biweekly with SRS Jeffrey  
 1100-1130 MTG: A/S Breier, S/A Abrams, CDA Story  
 1130-1230 Executive Time  
 1230-1245 INTERVIEW: Phone Interview with print outlet "The Patriot News"  
 1250-1259 INTERVIEW: Phone Interview with radio outlet RJ Harris, WHP 580  
 1300-1345 MTG: M Family Deep Dive  
 1400-1420 CALL: Graham Allison  
 1435-1455 CALL: Bill Gates, Gates Foundation  
 1500-1530 BILAT: Meeting with UAE Amb. Yousef Otaiba  
 1600-1630 BILAT: Republic of Korea FM Kang  
 1630-1700 Executive Time  
 1700-1715 ENR Residence

NO DISCERNIBLE CLASSIFICATION

1

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845980 Date: 11/22/2019

AMERICAN  
OVERSIGHT

C06845980 UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845980 Date: 11/22/2019

NO DISCERNIBLE CLASSIFICATION

[REDACTED]  
Office Manager to the Secretary of State  
U.S. Department of State | 2201 C Street NW, Washington, D.C. 20520  
[REDACTED] [S\\_Scheduling@state.gov](mailto:S_Scheduling@state.gov)

B6

Official  
UNCLASSIFIED

NO DISCERNIBLE CLASSIFICATION

2

[REDACTED]  
UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc No. C06845980 Date: 11/22/2019

AMERICAN  
OVERSIGHT



UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852076 Date: 11/22/2019

From: Madeleine Westerhout  
 Sent: Wednesday, March 27, 2019 12:12 PM  
 To: [REDACTED]  
 Cc: S\_Scheduling  
 Subject: RE: Secretary Pompeo

B6

RELEASE IN PART  
 B6

Thanks!!

From: [REDACTED]  
 Sent: Wednesday, March 27, 2019 12:03 PM  
 To: Westerhout, Madeleine E. EOP/WHO  
 Cc: S\_Scheduling  
 Subject: RE: Secretary Pompeo

Hi Madeleine --

Jo Ann is welcome coordinate with us for S via our Scheduler, [REDACTED]

Outside of business hours, State Ops is best -- 202-647-1512

And, of course, our best email is: [S\\_Scheduling@state.gov](mailto:S_Scheduling@state.gov)

All best!! [REDACTED]

U.S. Department of State | 2201 C Street NW, Washington, D.C. 20520  
 [REDACTED] | [S\\_Scheduling@state.gov](mailto:S_Scheduling@state.gov)

Official  
 UNCLASSIFIED

From: Westerhout, Madeleine E. EOP/WHO  
 Sent: Wednesday, March 27, 2019 11:52 AM  
 To: [REDACTED]  
 Subject: FW: Secretary Pompeo

Hey [REDACTED] -- this is Rudy Giuliani's assistant. What number can I give her for S?

From: Zafonte, Jo Ann [REDACTED]  
 Sent: Wednesday, March 27, 2019 11:28 AM  
 To: Westerhout, Madeleine E. EOP/WHO [REDACTED]  
 Subject: [EXTERNAL] Secretary Pompeo

Hi Madeleine, hope all is well. It's been a while.

Hate to bother you but might you be able to send me a good number for above, I've been trying and getting nowhere through regular channels.

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852076 Date: 11/22/2019

AMERICAN  
 OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852076 Date: 11/22/2019  
Thanks so much.

Jo Ann Zafonte  
Senior Manager  
Giuliani Partners  
445 Park Avenue, 18<sup>th</sup> Fl.  
New York, NY 10022  


UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852076 Date: 11/22/2019

AMERICAN  
OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852072 Date: 11/22/2019

[REDACTED] B6

**From:** [REDACTED]  
**Sent:** Monday, April 01, 2019 8:04 AM  
**To:** Erickson, Christopher B  
**Subject:** RE: Senior Watch Officer Morning Brief to the ExecSec - 03/29 (SBU)

No problem, Chris. It was a quiet morning.

RELEASE IN PART  
B5, B6

[REDACTED]

[REDACTED]  
 Chief, State-Defense Integration  
 State-Defense Integration Office  
 Bureau of Political-Military Affairs  
 United States Department of State  
 [REDACTED]  
 [REDACTED]

DECONTROLLED

Official - SBU  
 UNCLASSIFIED

**From:** Erickson, Christopher B  
**Sent:** Friday, March 29, 2019 10:55 AM  
**To:** [REDACTED]  
**Subject:** FW: Senior Watch Officer Morning Brief to the ExecSec - 03/29 (SBU)

Thanks, [REDACTED] for stepping in this a.m.  
 Chris

Official - SBU  
 UNCLASSIFIED

**From:** Operations Center  
**Sent:** Friday, March 29, 2019 8:06 AM  
**To:** SES-O, ExecSecBrief  
**Subject:** Senior Watch Officer Morning Brief to the ExecSec - 03/29 (SBU)

Below are the Senior Watch Officer's notes for the Executive Secretariat. Ops shares these notes only with the recipients of this email to facilitate deliberative discussion; they are not intended for publication. Please do not redistribute this email.

SENSITIVE BUT UNCLASSIFIED

**STATE DEPARTMENT OPERATIONS CENTER**  
**The Watch | Crisis Management and Strategy**  
**03/29 0815 Morning Notes**

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852072 Date: 11/22/2019

AMERICAN  
OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852072 Date: 11/22/2019

**Calls:** (SBU) The Secretary spoke with DHS Secretary Nielsen. The Secretary has confirmed calls with Mr. R. Giuliani, Mr. W. McKelvey, Mr. R. Harris, Dr. G. Allison, Mr. W. Gates, Rep. Nunes (R-CA), Reverend O'Callaghan, and Treasury Secretary Mnuchin. [REDACTED]

B5

**Algeria**

(SBU) Embassy Algiers reports thousands of protesters are gathered in central Algiers. Post comments while all parties see the end of the line for President Bouteflika, it will likely take weeks for him to step down.

**Thailand**

(SBU) Embassy Bangkok reports the Election Commission published and subsequently rescinded general election results showing the pro-junta Palang Pracharat Party won the popular vote. Activists and multiple political parties questioned the tally. Final results are expected May 9.

**Arab League**

(U) At the opening of an Arab League summit in Tunis, FM Jhinaoui announced Tunisia would seek to "contain the fallout" from the U.S. recognition of Israeli sovereignty over the Golan Heights by coordinating the response of Arab countries, media report.

**Briefs & Alerts**

(SBU) ARMENIA: Fulbright Scholar Found After Kidnapping Concerns

Senior Watch Officer  
State Department Operations Center  
202-647-1512

Official - SBU  
UNCLASSIFIED

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852072 Date: 11/22/2019

AMERICAN  
OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

RELEASE IN FULL

*Secretary Pompeo*  
*ATTN: Ruth*

THE WHITE HOUSE

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

AMERICAN OVERSIGHT  
UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

## Shokin/Lutsenko Notes

January 23, 2019  
 445 Park Avenue  
 New York, NY 10022

Shokin:

On January 23, 2019 a telephone interview with Mr. Viktor Shokin the former General Prosecutor of Ukraine was conducted. Present in the New York location were: Rudolph Giuliani, Mr. Igor Fruman, Mr. Lev Parnas and Mr. George Boyle. The conversation was conducted through the use of two (2) interpreters one (1) in Ukraine and one (1) Lev Parnas in New York. The sum and substance of the conversation are as follows:

Mr. Shokin stated that he was appointed to the position of General Prosecutor of Ukraine from 2015 until April of 2016 when he was removed at the request of Mr. Joseph Biden the Vice President of the United States. Mr. Shokin was a Deputy Prosecutor prior to becoming the General Prosecutor. He became involved in a case against Mr. Mykola Zlochevsky the former Minister of Ecology and Natural Resources of Ukraine. The case was opened as a result of Mr. Zlochevsky giving himself/company permits to drill for gas and oil in Ukraine. Mr. Zlochevsky is also the owner of Burisma Holdings, which a corporation registered in Cyprus. Mr. Shokin stated that there are documents that list five (5) criminal cases in which Mr. Zlochevsky is listed, with the main case being for issuing illegal gas exploration permits. The following complaints are in the criminal case.

1. Mr. Zlochevsky was laundering money
2. Obtained assets by corrupt acts bribery
3. Mr. Zlochevsky removed approximately twenty three million U.S. dollars out of Ukraine without permission
4. While seated as the Minister he approved two addition entities to receive permits for gas exploration
5. Mr. Zlochevsky was the owner of two secret companies that were part of Burisma Holdings and gave those companies permits which made it possible for him to profit while he was the sitting Minister.

The above cases were closed after Mr. Zlochevsky was dismissed from the Ministry.

Mr. Shokin further stated that there were several Burisma board appointments were made in 2014 as follows:

1. Hunter Biden son of Vice President Joseph Biden
2. Joseph Blade former CIA employee assigned to Anti-Terrorist Unit
3. Aleksander Kwasniewski former President of Poland
4. Devon Archer roommate to the Christopher Heinz the step-son of Mr. John Kerry United States Secretary of State

AMERICAN  
OVERSIGHT

Mr. Shokin stated that these appointments were made by Mr. Zlochevsky in order to protect himself.

Mr. Zlochevsky left Ukraine while the above mentioned cases were open.

Mr. Shokin stated that the investigations stopped out of fear of the United States. Mr. Shokin attempted to continue the investigations but on or around June or July of 2015 the U.S. Ambassador Geoffrey R. Pyatt told him that the investigation has to be handled with white gloves, which, according to Mr. Shokin, that implied do nothing. On or about September 2015 Mr. Pyatt gave a speech in Odessa where he stated that the cases were not investigated correctly and that Mr. Shokin may be corrupt.

Mr. Shokin stated that in 2014 Mr. Zlochevsky was in the UK and that the twenty three million dollars were frozen in the UK in the BNP Bank. Mr. Shokin stated that false documents were prepared and the money was released to Mr. Slochevsky before Mr. Shokin took office. That release of the money made Mr. Shokin look into the above cases again. Mr. Shokin stated that there were several articles written about bribes being taken during the investigation of the cases. The bribes were an effort to have the cases closed. On April of 2016 Mr. Shokin was dismissed as the General Prosecutor of Ukraine. In November of 2016 the cases were closed by the current Prosecutor General Yuriy Lutsenko.

Mr. Shokin further stated that on February of 2016 warrants were placed on the accounts of multiple people in Ukraine. There were requests for information on Hunter Biden to which nothing was received. It is believed that Hunter Biden receives a salary, commission plus one million dollars. There were no documents or information on Hunter Biden and Mr. Shokin stated he was warned to stop by Ambassador Geoffrey R. Pyatt. President of Ukraine Petro Poroshenko told Mr. Shokin not to investigate Burisma as it was not in the interest of Joe and/or Hunter Biden. Mr. Shokin was called into Mr. Poroshenko's office and told that the investigation into Burisma and the Managing Director where Hunter Biden is on the board, has caused Joe Biden to hold up one billion dollars in U.S. aid to Ukraine.

Mr. Shokin stated that on or around April of 2016 Mr. Petro Poroshenko called him and told him he had to be fired as the aid to the Ukraine was being withheld by Joe Biden. Mr. Biden told Mr. Poroshenko that he had evidence that Mr. Shokin was corrupt and needed to be fired. Mr. Shokin was dismissed in April of 2016 and the U.S. aid was delivered within one and one half months.

On a different point Mr. Shokin believes the current Ambassador Marie L. Yovanovitch denied his visa to travel to the U.S. Mr. Shokin stated that she is close to Mr. Biden. Mr. Shokin also stated that there were leaks by a person named Reshenko of the Ukrainian State Secret Service about the Manafort Black Book. Mr. Shokin stated that there is possible deceit in the Manafort Black Book.

End of interview.



January 25, 2019  
 445 Park Avenue  
 New York, NY 10022

Yuriy Lutsenko:

On January 25, 2019 Mr. Yuriy Lutsenko the current Prosecutor General of Ukraine was present at 445 Park Ave, New York, NY. He was present to speak about corruption in Ukraine. He was accompanied by Glib Zagoriy, Gyunduz Mamedov, Lev Parnas, Igor Fruman. Also present were Mayor Rudolph Giuliani and George Boyle.

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3. Secret Service
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Mr. Yuriy Lutsenko requested that we break for the day, and that he would meet again with everyone tomorrow.

End of interview:

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## Yuriy Lutsenko Continued:

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He stated that it wasn't an actual book just several pieces of paper consisting of approximately ten (10) to twelve (12) pages long. The next day the U.S. media had the story, and a Mr. Leschenko who is member of Parliament and a journalist said that Paul Manafort's name was also in the book. Mr. Lutsenko further stated that Mr. Leschenko and the U.S. Ambassador are close. Several weeks after the discovery of the "Black Book" NABU opened a case. At some point during his first week in office Mr. Lutsenko met with the Ambassador Marie Yovanovitch where she asked him to close three cases including one against Mr. Leschenko. The head of NABU confirmed that Mr. Manafort's name was in the "Black Book" however there was no signature where Mr. Manafort would have to sign for the money. There is bank transfer to Mr. Manafort from Kirgistan. NABU also confirmed to the press that Mr. Manafort's name appears in the "Black Book".

Mr. Lutsenko who oversees SAP and NABU cannot inquire about their cases/investigations. The Head of SAP is Nazar Kholodnitskiy and the head of NABU is Artem Sytnyk and do not like each other and are currently at odds with one another. At an anti-corruption training seminar in Panam Mr. Kholodnitskiy asked Mr. Sytnyk why would you say there is no signature (Manafort's) and Mr. Sytnyk stated he wanted Hillary to win.

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Mr. Letsenko stated that Ambassador Yovanovitch spends money on good public relations for NABU. Mr. Letsenk stated that NABU has no results. NABU took on approximately three hundred (300) cases/investigations which only resulted in 23 people taking plea deals. Mr. Letsenk further stated that Ambassador Yovanovitch said she would make Sytnyk President.

End of interview:

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## Shokin/Lutsenko Notes

January 23, 2019  
 445 Park Avenue  
 New York, NY 10022

Shokin:

On January 23, 2019 a telephone interview with Mr. Viktor Shokin the former General Prosecutor of Ukraine was conducted. Present in the New York location were: Rudolph Giuliani, Mr. Igor Fruman, Mr. Lev Parnas and Mr. George Boyle. The conversation was conducted through the use of two (2) interpreters one (1) in Ukraine and one (1) Lev Parnas in New York. The sum and substance of the conversation are as follows:

Mr. Shokin stated that he was appointed to the position of General Prosecutor of Ukraine from 2015 until April of 2016 when he was removed at the request of Mr. Joseph Biden the Vice President of the United States. Mr. Shokin was a Deputy Prosecutor prior to becoming the General Prosecutor. He became involved in a case against Mr. Mykola Zlochevsky the former Minister of Ecology and Natural Resources of Ukraine. The case was opened as a result of Mr. Zlochevsky giving himself/company permits to drill for gas and oil in Ukraine. Mr. Zlochevsky is also the owner of Burisma Holdings, which a corporation registered in Cyprus. Mr. Shokin stated that there are documents that list five (5) criminal cases in which Mr. Zlochevsky is listed, with the main case being for issuing illegal gas exploration permits. The following complaints are in the criminal case.

1. Mr. Zlochevsky was laundering money
2. Obtained assets by corrupt acts bribery
3. Mr. Zlochevsky removed approximately twenty three million U.S. dollars out of Ukraine without permission
4. While seated as the Minister he approved two addition entities to receive permits for gas exploration
5. Mr. Zlochevsky was the owner of two secret companies that were part of Burisma Holdings and gave those companies permits which made it possible for him to profit while he was the sitting Minister.

The above cases were closed after Mr. Zlochevsky was dismissed from the Ministry.

Mr. Shokin further stated that there were several Burisma board appointments were made in 2014 as follows:

1. Hunter Biden son of Vice President Joseph Biden
2. Joseph Blade former CIA employee assigned to Anti-Terrorist Unit
3. Aleksander Kwasniewski former President of Poland
4. Devon Archer roommate to the Christopher Heinz the step-son of Mr. John Kerry United States Secretary of State

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Mr. Shokin stated that these appointments were made by Mr. Zlochevsky in order to protect himself.

Mr. Zlochevsky left Ukraine while the above mentioned cases were open.

Mr. Shokin stated that the investigations stopped out of fear of the United States. Mr. Shokin attempted to continue the investigations but on or around June or July of 2015 the U.S.

Ambassador Geoffrey R. Pyatt told him that the investigation has to be handled with white gloves, which according to Mr. Shokin, that implied do nothing. On or about September 2015 Mr. Pyatt gave a speech in Odessa where he stated that the cases were not investigated correctly and that Mr. Shokin may be corrupt. *? Different*

Mr. Shokin stated that in 2014 Mr. Zlochevsky was in the UK and that the twenty three million dollars were frozen in the UK in the BNP Bank. Mr. Shokin stated that false documents were prepared and the money was released to Mr. Zlochevsky before Mr. Shokin took office. That release of the money made Mr. Shokin look into the above cases again. Mr. Shokin stated that there were several articles written about bribes being taken during the investigation of the cases. The bribes were an effort to have the cases closed. On April of 2016 Mr. Shokin was dismissed as the General Prosecutor of Ukraine. In November of 2016 the cases were closed by the current Prosecutor General Yuriy Lutsenko.

Mr. Shokin further stated that on February of 2016 warrants were placed on the accounts of multiple people in Ukraine. There were requests for information on Hunter Biden to which nothing was received. It is believed that Hunter Biden receives a salary, commission plus one million dollars. There were no documents or information on Hunter Biden and Mr. Shokin stated he was warned to stop by Ambassador Geoffrey R. Pyatt. President of Ukraine Petro Poroshenko told Mr. Shokin not to investigate Burisma as it was not in the interest of Joe and/or Hunter Biden. Mr. Shokin was called into Mr. Poroshenko's office and told that the investigation into Burisma and the Managing Director where Hunter Biden is on the board, has caused Joe Biden to hold up one billion dollars in U.S. aid to Ukraine.

Mr. Shokin stated that on or around April of 2016 Mr. Petro Poroshenko called him and told him he had to be fired as the aid to the Ukraine was being withheld by Joe Biden. Mr. Biden told Mr. Poroshenko that he had evidence that Mr. Shokin was corrupt and needed to be fired. Mr. Shokin was dismissed in April of 2016 and the U.S. aid was delivered within one and one half months.

On a different point Mr. Shokin believes the current Ambassador Marie L. Yovanovitch denied his visa to travel to the U.S. Mr. Shokin stated that she is close to Mr. Biden. Mr. Shokin also stated that there were leaks by a person named Reshenko of the Ukrainian State Secret Service about the Manafort Black Book. Mr. Shokin stated that there is possible deceit in the Manafort Black Book.

End of interview:

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January 25, 2019:  
445 Park Avenue  
New York, NY 10022

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Yuriy Lutsenko Continued: *3 days later*

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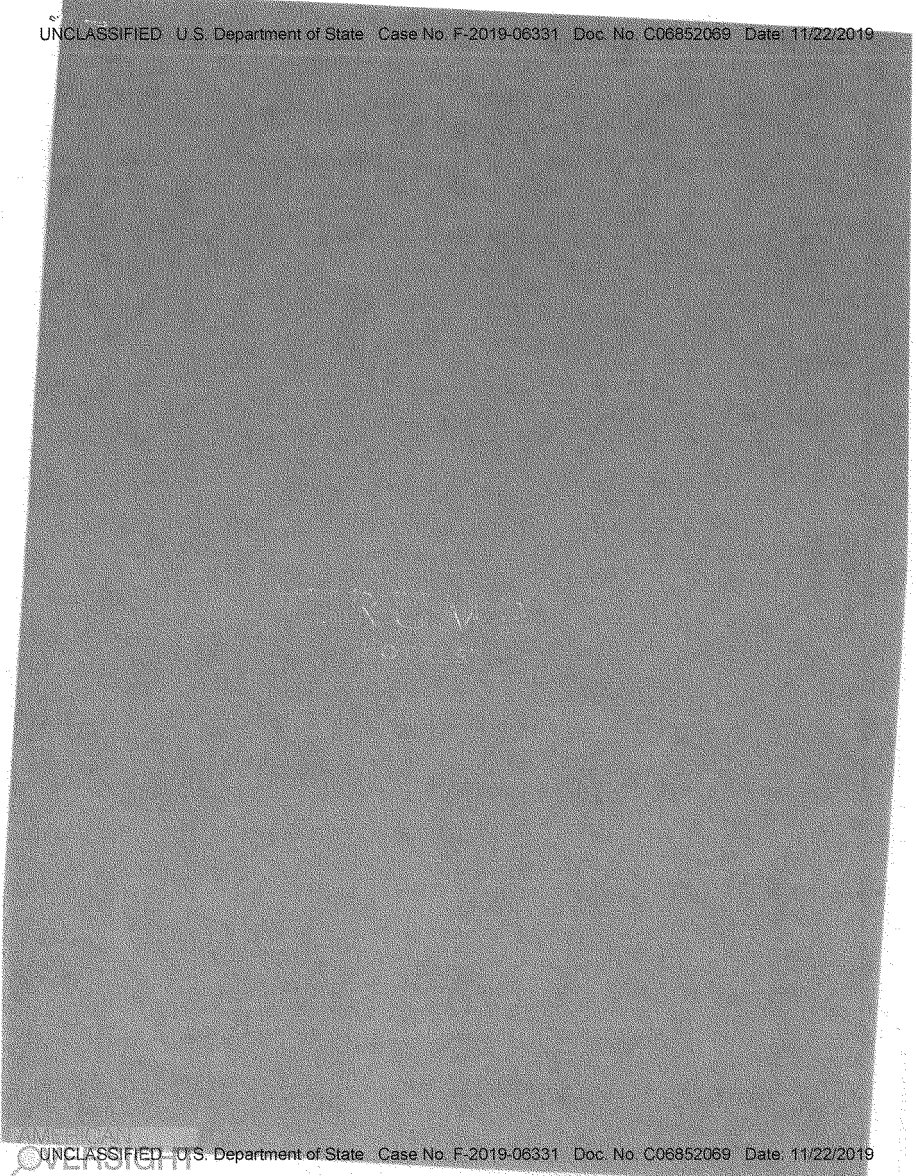
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Leshchenko, MP  
Nayem, MP  
Shabunin, ngo

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UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

Solomon  
articles

Embassy of the United States of America  
Kyiv, Ukraine

April 4, 2016

Mr. Yuriy Stolyarchuk  
Deputy Prosecutor General  
Prosecutor General's Office of Ukraine  
Kyiv

Dear Mr. Stolyarchuk:

Thank you for your letter dated March 29, 2016, and the clarification you request. I am answering on behalf of Ambassador Pyatt. I would like to make clear, as has Ambassador Pyatt in his public statements, that the United States has no concerns about the use of our assistance funds for burial and travel within the Prosecutor General's Office. Furthermore, as we have also said publicly, we do not believe these assistance funds were provided directly to any entity within the Prosecutor General's Office, including Deputy Prosecutor David Gavrishchuk and his staff. We have accounted for every angle in the assistance policy provided within the framework of this project, as is our practice for every matter we support in Ukraine. All of our assistance was administered according to U.S. laws and regulations and in strict compliance with our bilateral agreements dated March 2015 and our joint action plan, signed on August 10, 2015.

With this assistance, which the Ambassador's office is not in a position to publicly share if it is "disseminating," as indicated through the Ambassador's statement and the Organization for Security and Co-operation in Europe, we intend to help the Deputy Prosecutor's Office of the Prosecutor General's Office to improve its management and training, management and oversight activities, and support by the U.S. Embassy in Kyiv, through the International Center for the Rule of Law.

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UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

~~Subseason~~  
Timelines

TRUMP  
NOVELS

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UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

Ukraine Prosecutor General Shokin's office opens criminal investigation of Burisma Holdings and Mykola Zlochevsky for alleged corrupt award of gas exploration permits and eventual looting of company, according to Ukrainian prosecutor general file. Hunter Biden identified as an American person of interest in the file.

**December 16, 2014**

Former deputy national security adviser Tony Blinken confirmed by Senate as Deputy Secretary of State under John Kerry.

**Jan. 16, 2015**

General Prosecutors office in Ukraine declares Burisma Holdings founder Zlochevsky a fugitive "wanted in Ukraine."

**March 18, 2015**

VP Biden call with President Poroshenko. <https://ua.usembassy.gov/readout-vice-presidents-call-ukrainian-president-petro-poroshenko-6/>

**April 15, 2015**

VP Joe Biden speaks in Ukraine, praising the decision to appoint a new head of the NABU, the investigative arm of the Prosecutor General's office

**May 26, 2015**

Hunter Biden meets for breakfast with deputy secretary of state Tony Blinken regarding concerns in Ukraine about Burisma prosecution.

**June 12, 2015**

VP Biden calls President Poroshenko. <https://ua.usembassy.gov/readout-vice-presidents-call-ukrainian-president-petro-poroshenko-8/>

**July 15, 2015**

VP Biden and Commerce Secretary Pritzker attend first ever US-Ukraine Chamber of Business meeting. <https://www.uschamber.com/first-annual-us-ukraine-business-forum>

**July 24, 2015**

VP Biden calls President Poroshenko, raises concerns about anti-corruption efforts in Ukraine. <https://ua.usembassy.gov/readout-vice-presidents-call-ukrainian-president-petro-poroshenko-10/>

**Aug. 16, 2015**

Devon Archer throws a \$10,000 a plate fund-raiser in New York for the Seed Global Health charity founded by Secretary of State Kerry's daughter, Dr. Vanessa Kerry.

**Aug. 28, 2015**

VP Biden calls President Poroshenko <https://ua.usembassy.gov/readout-vice-presidents-call-ukrainian-president-petro-poroshenko-082815/>

**Sept. 29, 2015**

VP Biden meets with President Poroshenko in Ukraine. <https://ua.usembassy.gov/readout-vice-president-bidens-meeting-ukrainian-president-petro-poroshenko/>

**Nov. 5, 2015**

Biden calls President Poroshenko. <https://ua.usembassy.gov/readout-vice-president-bidens-call-ukrainian-president-petro-poroshenko-110515/>

**Dec. 7, 2015**



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VP Biden meets with President Poroshenko and demands the termination of Ukraine's General Prosecutor Shokin. Biden states the president must make "hard decisions" to eliminate "the cancer of corruption" in his country. <https://ua.usembassy.gov/remarks-vice-president-joe-biden-ukrainian-president-petro-poroshenko-bilateral-meeting/>

**Dec. 9, 2015**

Hunter Biden and business partner Devon Archer meet at State Department regarding Burisma Holdings prosecution.

**Feb. 11, 18, 19, 2016**

VP Biden holds series of phone calls with President Poroshenko to check on status of pending items from their December 2015 meeting. Removal of general prosecutor raised again. <https://ua.usembassy.gov/readout-vice-president-bidens-calls-prime-minister-arseniy-yatsenyuk-president-petro-poroshenko-ukraine-021916/>

**March 15, 2016**

1. Assistant Secretary of State Victoria Nuland demands Ukraine "appoint and confirm a new, clean Prosecutor General, who is committed to rebuilding the integrity of the PGO, and investigate, indict and successfully prosecute corruption and asset recovery cases – including locking up dirty personnel in the PGO itself." She offers no proof that special prosecutor's office is corrupt. <https://ua.usembassy.gov/ukrainian-reforms-two-years-maidan-revolution-russian-invasion/>

**March 22, 2016**

VP Joe Biden engages in phone call from Washington DC with Ukrainian president Poroshenko about U.S. loan guarantees. It is believed in this call that Biden renews his demands that the president fire Prosecutor General Shokin, who is overseeing the Burisma prosecution, but this time Biden warns Ukraine risk losing the next \$1 billion in U.S. loan guarantees. <https://ua.usembassy.gov/readout-vice-president-bidens-call-president-petro-poroshenko-ukraine-032216/>

**March 29, 2016**

Ukraine parliament fires Prosecutor General Shokin at urging of President Poroshenko. <https://www.nytimes.com/2016/03/30/world/europe/political-stability-in-the-balance-as-ukraine-ousts-top-prosecutor.html>

**March 31, 2016**

VP Joe Biden arrives in Ukraine and announces \$1 billion in loan guarantees, ending threat to withhold aid and force Ukraine into debt default, and also delivers \$239 million more in promised aid. <https://ua.usembassy.gov/readout-vice-president-bidens-meeting-president-petro-poroshenko-ukraine-033116/>

**April 14, 2016**

VP Biden calls President Poroshenko and "stressed the urgency of putting in place a new Prosecutor General who would bolster the agency's anti-corruption efforts. <https://ua.usembassy.gov/readout-vice-president-bidens-call-president-petro-poroshenko-ukraine-041416/>

**May 12, 2016**

Yuri Lutsenko named the new Prosecutor General of Ukraine, taking over investigations that include Burisma Holdings.

**May 27, 2016**

VP Biden holds phone call with President Poroshenko. <https://ua.usembassy.gov/readout-vice-president-bidens-call-president-petro-poroshenko-ukraine-052716/>

**June 15, 2016**

The Ukrainian investigative bureau NABU announces it has uncovered a massive fraud scheme involving Burisma Holdings. <https://www.pravda.com.ua/eng/news/2016/06/15/7111882/>

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

**June 15, 2016**

New Ukrainian prime minister Volodymyr Groysman meets in Washington DC with VP Joe Biden, Assistant Secretary of State Victoria Nuland and a representative of George Soros team.

**Aug. 12, 2016**

Phone call between VP Biden and President Poroshenko

**Sept. 20, 2016**

VP Biden meets President Poroshenko on sidelines of UN meeting. Confirms \$1 billion in loan guarantees has been made. <https://ua.usembassy.gov/readout-vice-president-bidens-meeting-president-petro-poroshenko-ukraine/>

**Sept. 20, 2016**

General Prosecutor's office eliminates "wanted" status of Burisma Holdings founder Zlochevsky in criminal case, ending his status as a fugitive.

**Nov. 2, 2016**

Prosecutor General's office in Ukraine closes down Burisma Holdings investigation without any formal charges.

**Nov. 8, 2016**

Donald Trump wins election to become 45<sup>th</sup> president of United States, ending eight years of Democratic control of the White House.

**Dec. 15, 2016**

VP Biden holds phone call with Ukraine president and prime minister, praises work of NABU, which prosecutor general's office says refused to investigate Burisma aggressively. <https://ua.usembassy.gov/readout-vice-president-bidens-calls-president-ukraine-petro-poroshenko-prime-minister-ukraine-volodymyr-groysman/>

**Jan. 17-18, 2017**

Biden makes final appearance in Ukraine with President Poroshenko. <https://ua.usembassy.gov/remarks-vice-president-joe-biden-joint-press-availability-ukrainian-president-petro-poroshenko/>

**Jan. 25, 2018**

Former VP Biden boasts at Council of Foreign Relations events in Washington DC that he strong armed Ukrainian president to fire the General Prosecutor, using loan guarantees as leverage. Does not mention his son's company was under investigation.

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UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019  
Key Events in Burisma Investigation

**February 2014:**

VP Joe Biden named by President Obama to be U.S. point man on Ukrainian crisis. Meets with President Viktor Yanukovich. Yanukovich ousted as president during Maidan uprising.

**March 2014**

New Ukrainian elections set for May and Petro Poroshenko emerges as top Western-friendly candidate for president.

**April 2014:**

Devon Archer, business partner of Hunter Biden, son of the VP, and John Heinz, stepson of Secretary Kerry, is named an independent director of Burisma Holdings. [https://www.resumonk.com/kVYKE5CEpSi0xE\\_aGwaYQ](https://www.resumonk.com/kVYKE5CEpSi0xE_aGwaYQ)

**April 18, 2014:**

Britain's Serious Fraud Office freezes \$23 million in assets kept in London by Burisma Holdings and its founder, Mykola Zlochevsky, on grounds it was fraudulently transferred from Ukraine.

**April 24, 2014:**

Joe Biden meets with candidate Poroshenko for the first time. <https://slate.com/news-and-politics/2014/04/petro-poroshenko-interview-ukrainian-presidential-candidate-discusses-putin-the-west-and-ukraine.html>

**May 13, 2014**

Hunter Biden appointed chief lawyer, and board member for Ukraine's largest natural gas company Burisma Holdings, which is run by Mykola Zlochevsky, a former Cabinet official for ousted president Yanukovich. <https://www.cnn.com/2014/05/13/bidens-son-joins-ukraine-gas-companys-board-of-directors.html>

**May 20, 2014**

David Leiter, former chief of staff to John Kerry, hired as DC lobbyist for Burisma Holdings, Senate lobbying records show. The firm is paid \$90,000 in 2014 to lobby Congress and the State Department. [https://www.opensecrets.org/lobby/client\\_reports.php?id=F212407&year=2014](https://www.opensecrets.org/lobby/client_reports.php?id=F212407&year=2014)

**May 25, 2014**

Poroshenko wins the Ukraine presidential election

**Aug. 20, 2014**

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UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

**OUTLINE**  
**(3/28/19)***Source of  
this document?***2010-2014.**

Mykola Zlochevsky was a high ranking official in the pro-Russian Ukrainian Government. Yanukovych was, and had been, a major shareholder in a company many valuable gas export contracts. The core company is called BURLINIA HOLDINGS LTD.

**Feb. 2014.**

President Obama names VP Joe Biden the point man for Ukrainian crisis.

**Feb. 2014.**

Revolution of Dignity takes place and President Yanukovych and his government are ousted. Yanukovych and Zlochevsky flee ultimately to Russia. They also had been taking billions of dollars out of Ukraine and using banks all over the world for laundering including at least one prominent US financial institution. The amount involving US is said to be \$7 billion.

**April, May 2014****AMERICAN  
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## OUTLINE (3/28/19)

2010-2014.

Mykola Zlochevsky was a high ranking Minister in the pro-Russian Ukrainian Government of Viktor Yanukovych was, and had been, granting his company many valuable gas exploration permits. The core company is called BURISMA HOLDINGS LTD.

Feb. 2014.

President Obama names VP Joe Biden the point man for Ukrainian crisis.

Feb. 2014.

Revolution of Dignity takes place and President Yanukovych and his government are ousted. Yanukovych and Zlochevsky flee ultimately to Russia. They also had been taking billions of dollars out of Ukraine and using banks all over the world for laundering including at least one prominent US financial institution. The amount involving US is said to be \$7 billion.

April, May 2014

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Zlochevsky places Hunter Biden, son of then VP Joe Biden and Hunter Archer, his partner and former aide to then Secretary of State John Kerry on the Board of BURISMA. Their third partner in Rosemont Seneca Capital is John Heinz, stepson of Kerry. Neither has any experience with natural gas exploration. Witnesses and documents indicate Zlochevsky hired them to influence the Obama government and in particular VP Biden.

May 25, 2014.

Petro Poroshenko elected President of Ukraine.

Aug. 20, 2014.

Prosecutor General Viktor Shokin opens criminal investigation of BURISMA and Hunter Biden identified as a person of interest in the investigation.

Jan. 2015.

Zlochevsky named a fugitive by Ukraine government. H. Biden and Archer remain on Board of this company despite obvious evidence of substantial corruption.

May 26, 2015.

H. Biden meets for breakfast with Deputy Secretary of State Tony Blinken regarding concerns about BURISMA.

Dec 7, 2015.

VP Biden tells Poroshenko that he must dismiss Prosecutor General Viktor Shokin allegedly for unspecified corruption. Unclear whether they discuss that VP Biden's son is now a major figure in BURISMA and deeply involved in the investigation.

Dec. 9, 2015.

H. Biden and Archer meet at State regarding BURISMA.

Feb. 11, 18, 19, 2016.

VP Biden and Poroshenko talk on phone including on subject of removing Prosecutor General who is investigating VP Biden's son.

Mar. 22, 2016.

VP Biden threatens Poroshenko with not receiving the much needed next \$1 billion loan guarantee unless he removes the Prosecutor General. If the loan guarantee were not executed Ukraine would go into loan default.

Mar. 29, 2016.

Ukraine Parliament fires Prosecutor General Shokin.

Mar. 31, 2016.

VP Biden arrives in Ukraine announces \$1 billion loan guarantee.

April 14, 2016.

VP Biden calls Poroshenko and discusses appointment of a new Prosecutor General.

Mar. 12, 2016.

Yuriy Lutsenko named as new Prosecutor General. Lutsenko was a hero of Ukraine for having spent 1/2 years in prison during the pro-Russian Yanukovich government.

Mar. 2016.

VP Biden praises the appointment of Lutsenko.

Mar. April 2016.

Prosecutor General Lutsenko meets with US Ambassador Marie Yovanovitch. Yovanovitch tells Lutsenko that he must drop investigation of individuals and institutions. The list includes an organization run by George Soros. Lutsenko is aware that Yovanovitch is very close to Biden and Soros.



June 15, 2016.

Ukrainian law enforcement agency announces it has uncovered a massive fraud scheme involving Biden's company BURISMA.

June 15, 2016.

Ukrainian PM Volodymyr Groysman meets with VP Biden, Assistant Secretary of State Victoria Nuland and a representative of George Soros.

Nov. 2, 2016:

Prosecutor General's Office announces closing of BURISMA case.

Jan. 17-19, 2016.

VP Biden makes his last of 9 to 13 visits to Ukraine.

Jan. 25, 2016.

Joe Biden addresses the Council on Foreign Relations in DC and brags about strong arming President Poroshenko to remove Prosecutor General. BIDEN FAILS TO MENTION THAT HIS SON WAS A MAJOR FIGURE IN BURISMA'S FRAUD, which was at that time under investigation by Prosecutor General Shokin.

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## As Russia collusion fades, Ukraine plot to help Clinton emerges

BY JOHN SOLOMON, OPINION CONTRIBUTOR — 03/20/19 07:30 PM EDT.  
THE VIEWS EXPRESSED BY CONTRIBUTORS ARE THEIR OWN AND NOT THE VIEW OF THE HILL

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report public**

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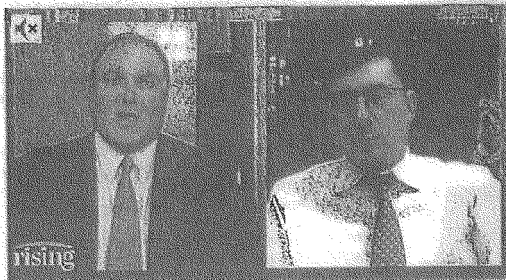
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won't end until the full  
Mueller report is  
released**



After nearly three years and millions of tax dollars, the Trump-Russia collusion probe is about to be resolved. Emerging in its place is newly unearthed evidence suggesting another foreign effort to influence the 2016 election — this time, in favor of the Democrats.

Ukraine's top prosecutor divulged in an interview aired Wednesday on [Hill.TV](#) that he has opened an investigation into whether his country's law enforcement apparatus intentionally leaked financial records during the 2016 U.S. presidential campaign about then-Trump campaign chairman Paul Manafort in an effort to sway the election in favor of Hillary Clinton.

The leak of the so-called black ledger files to U.S. media prompted Manafort's resignation from the Trump campaign and gave rise to one of the key allegations in the Russia collusion probe that has dogged Trump for the last two and a half years.

Ukraine Prosecutor General Yuriy Lutsenko's probe was prompted by a Ukrainian parliamentarian's release of a tape recording purporting to quote a top law enforcement official as saying his agency leaked the Manafort financial records to help Clinton's campaign.

The parliamentarian also secured a [court ruling](#) that the leak amounted to "an illegal intrusion into the American election campaign," Lutsenko told me. Lutsenko said the tape recording is a serious enough allegation to warrant opening a probe, and one of his concerns is that the Ukrainian

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"Today we will launch a criminal investigation about this and we will give legal assessment of this information," Lutsenko told me.

Lutsenko, before becoming prosecutor general, was a major activist against Russia's influence in his country during the tenure of Moscow-allied former President Viktor Yanukovich. He became chief prosecutor in 2016 as part of anti-corruption reforms instituted by current President Petro Poroshenko, an ally of the U.S. and Western countries.

Unlike the breathless start to the Russia collusion allegations — in which politicians and news media alike declared a Watergate-sized crisis before the evidence was fully investigated — the Ukraine revelations deserve to be investigated before being accepted.

After all, Ukraine is dogged by rampant corruption. It is a frequent target of Russian President Vladimir Putin's dirty tricks. And it is a country that, just last year, faked a journalist's death for one day, reportedly to thwart an assassination plot.

But the chief prosecutor, a member of parliament and a court seemingly have enough weight to warrant serious scrutiny of their allegations and an analysis of the audio tape.

Furthermore, the mystery of how the Manafort black ledger files got leaked to American media has never been solved. They surfaced two years after the FBI investigated Manafort over his Ukraine business activities but declined to move forward in 2014 for lack of evidence.

We now have strong evidence that retired British spy Christopher Steele began his quest in what ultimately became the infamous Russia collusion dossier with a series of conversations with top Justice Department official Bruce Ohr between December 2015 and February 2016 about securing evidence against Manafort.

We know the FBI set up shop in the U.S. embassy in Kiev to assist its Ukraine-Manafort inquiry — a common practice on foreign-based probes — while using Steele as an informant at the start of its Russia probe. And we know Clinton's campaign was using a law firm to pay an opposition research firm for Steele's work in an effort to stop Trump from winning the presidency, at the same time Steele was aiding the FBI.

Those intersections, coupled with the new allegations by Ukraine's top prosecutor, are reason enough to warrant a serious, thorough investigation.

If Ukraine law enforcement figures who worked frequently with the U.S. Embassy did leak the Manafort documents in an effort to influence the American election for Clinton, the public deserves to know who knew what, and when.

Lutsenko's interview with Hill TV raises another troubling dynamic: The U.S. Embassy and the chief Ukrainian prosecutor, who America entrusts with fighting corruption inside an allied country, currently have a dysfunctional relationship.

In our interview, Lutsenko accused the Obama-era U.S. Embassy in 2016 of interfering in his ability to prosecute corruption cases, saying the U.S. ambassador gave him a list of defendants that he would not be allowed to

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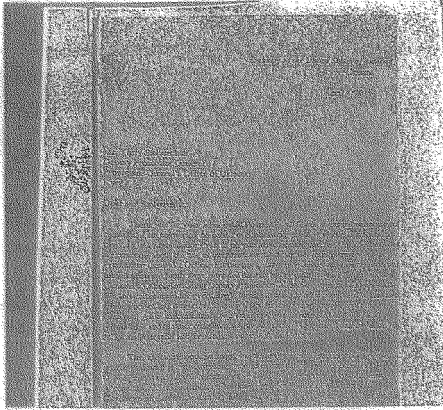
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pursue and then refused to cooperate in an early investigation into the alleged misappropriation of U.S. aid in Ukraine.

Lutsenko provided me with a letter from the embassy, supporting part of his story by showing that a U.S. official did in fact ask him to stand down on the misappropriation-of-funds case. "We are gravely concerned about this investigation for which we see no basis," an embassy official named George Kent wrote to the prosecutor's office.



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The State Department on Wednesday issued a statement declaring that it no longer financially supports Lutsenko's office in its anti-corruption mission and considers his allegation about the do-not-prosecute list "an outright fabrication."

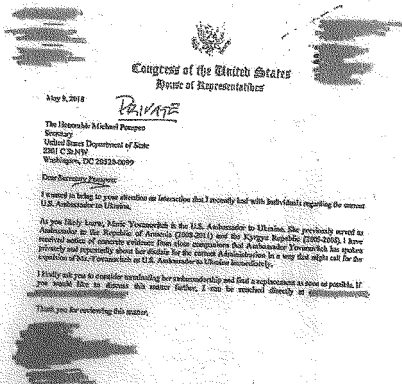
My reporting, however, indicates Lutsenko isn't the only person complaining about the U.S. Embassy in Kiev.

Last year, when he served as House Rules Committee chairman, Rep. Pete Sessions (R-Texas) wrote a private letter asking Secretary of State Mike Pompeo to recall the current U.S. ambassador, alleging that she made disparaging statements about President Trump.

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U.S. Department of State, Bureau of Public Affairs, Office of Public Inquiries, 2201 C Street, N.W., Washington, D.C. 20520-5001, Tel: 202-462-2000, Fax: 202-462-2001, Email: [public.inquiries@state.gov](mailto:public.inquiries@state.gov), <http://www.state.gov/publicaffairs>



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The ambassador "has spoken privately and repeatedly about her disdain for the current administration in a way that might call for the expulsion" of America's top diplomat in Ukraine, Sessions wrote.

Such dysfunction does not benefit either country, especially when Russia is lurking around the corner, hoping to regain its influence in the former Soviet republic.

Investigating what's going on in the U.S. Embassy in Kiev, and whether elements in Ukraine tried to influence the 2016 U.S. election to help Clinton, are essential steps to rebooting a key relationship.

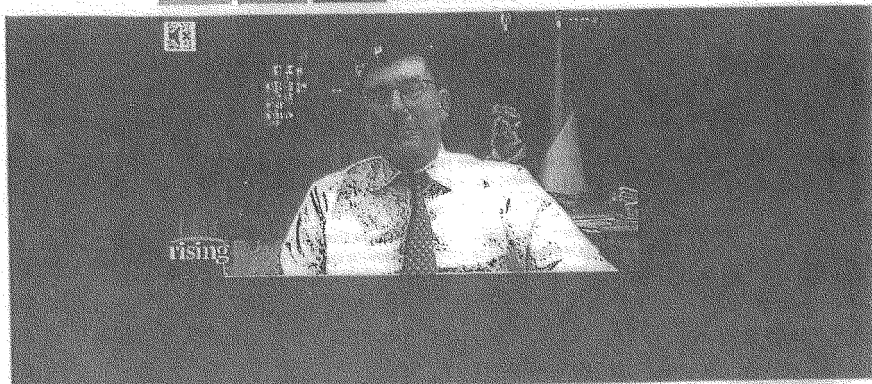
*John Solomon is an award-winning investigative journalist whose work over the years has exposed U.S. and FBI intelligence failures before the Sept. 11 attacks, federal scientists' misuse of foster children and veterans in drug experiments, and numerous cases of political corruption. He serves as an investigative columnist and executive vice president for video at The Hill.*

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## Top Ukrainian justice official says US ambassador gave him a do not prosecute list



3/20/2019

Ukrainian Prosecutor General Yuriy Lutsenko told Hill.TV's John Solomon in an interview that aired Wednesday that U.S. Ambassador to Ukraine Marie Yovanovitch gave him a do not prosecute list during their first meeting.

"Unfortunately, from the first meeting with the U.S. ambassador in Kiev, [Yovanovitch] gave me a list of people whom we should not prosecute," Lutsenko, who took his post in 2016, told Hill.TV last week.

"My response of that is it is inadmissible. Nobody in this country, neither our president nor our parliament nor our ambassador, will stop me from prosecuting whether there is a crime," he continued.

The State Department called Lutsenko's claim of receiving a do not prosecute list, "an outright fabrication."

"We have seen reports of the allegations," a department spokesperson told Hill.TV. "The United States is not currently providing any assistance to the Prosecutor General's Office (PGO), but did previously attempt to support fundamental justice sector reform, including in the PGO, in the aftermath of the 2014 Revolution of Dignity. When the political will for genuine reform by successive Prosecutors General proved lacking, we exercised our fiduciary responsibility to the American taxpayer and redirected assistance to more productive projects."

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Lutsenko also said that he has not received funds amounting to nearly \$4 million that the U.S. Embassy in Ukraine was supposed to allocate to his office, saying that "the situation was actually rather strange" and pointing to the fact that the funds were designated, but "never received."

"At that time we had a case for the embezzlement of the U.S. government technical assistance worth 4 million U.S. dollars, and in that regard, we had this dialogue," he said. "At that time, [Yovanovitch] thought that our interviews of Ukrainian citizens, of Ukrainian civil servants, who were frequent visitors of the U.S. Embassy put a shadow on that anti-corruption policy."

"Actually, we got the letter from the U.S. Embassy, from the ambassador, that the money that we are speaking about [was] under full control of the U.S. Embassy, and that the U.S. Embassy did not require our legal assessment of these facts," he said. "The situation was actually rather strange because the funds we are talking about were designated for the prosecutor general's office also and we told [them] we have never seen those, and the U.S. Embassy replied there was no problem."

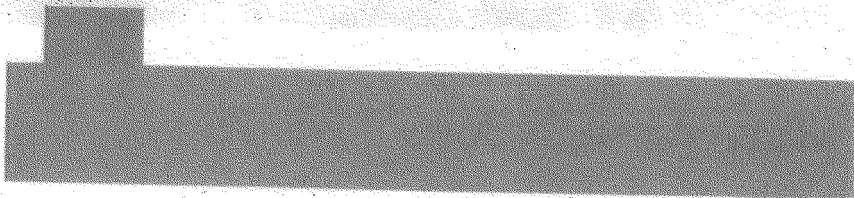
"The portion of the funds namely 4.4 million U.S. dollars were designated and were foreseen for the recipient Prosecutor General's office. But we have never received it," he said.

Yovanovitch previously served as the U.S. ambassador to Armenia under former presidents Obama and George W. Bush, as well as ambassador to Kyrgyzstan under Bush. She also served as ambassador to Ukraine under Obama.

Former Rep. Pete Sessions (R-Texas), who was at the time House Rules Committee chairman, voiced concerns about Yovanovitch in a letter to the State Department last year in which he said he had proof the ambassador had spoken of her "disdain" for the Trump administration.

— HILL TV Staff

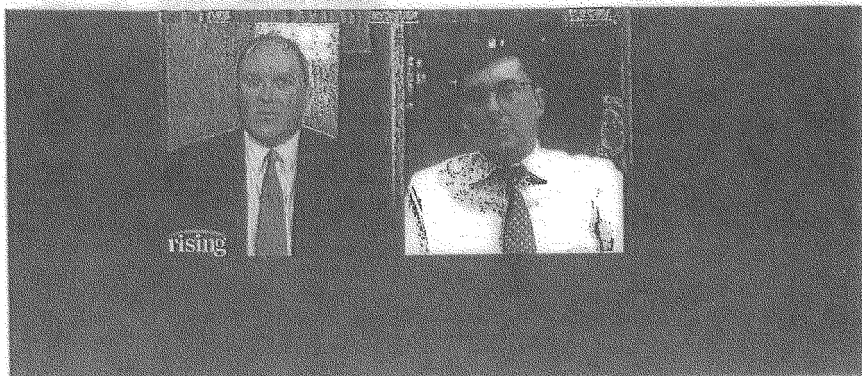
Updated at 11:01 a.m.







## Senior Ukrainian official says he's opened probe into US election interference



3/20/2019

Ukrainian Prosecutor General Yuriy Lutsenko told HillTV's John Solomon in an interview aired on Wednesday that he has opened a probe into alleged attempts by Ukrainians to interfere in the 2016 U.S. presidential election.

"Today we will launch a criminal investigation about this and we will give legal assessment of this information," Lutsenko said last week.

Lutsenko is probing a claim from a member of the Ukrainian parliament that the director of the National Anti-Corruption Bureau of Ukraine (NABU), Artem Sytnyk, attempted to influence the 2016 vote to the benefit of Democratic presidential nominee Hillary Clinton.

A State Department spokesman told HillTV that officials are aware of news reports regarding Sytnyk.

"We have always emphasized the need for deep, comprehensive, and timely reforms that respond to the demands the Ukrainian people made during the Revolution of Dignity: an end to systemic corruption, faster economic growth, and a European future for all Ukrainians," a State spokesperson told HillTV.

"We have consistently said that Ukraine's long-term success and resilience depends on its commitment to reform, in particular the fight to address corruption. To succeed, Ukraine needs committed government officials and strong anti-corruption institutions. The United States is committed to engaging with our partners in Ukraine, including on efforts to roll back the persistent corruption that continues to threaten Ukraine's national security, prosperity, and democratic development."

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HillTV has also reached out to the U.S. Embassy in Ukraine and Clinton's spokesperson for comment.

"It means that we think Mr. Sytnyk, the NABU director, officially talked about criminal investigation with Mr. [Paul] Manafort, and at the same time, Mr. Sytnyk stressed that in such a way, he wanted to assist the campaign of Ms. Clinton," he continued.

Solomon asked Lutsenko about reports that a member of Ukraine's parliament obtained a tape of the current head of the NABU saying that he was attempting to help Clinton win the 2016 presidential election, as well as connections that helped release the black-ledger files that exposed Trump campaign chairman Paul Manafort's wrongdoing in Ukraine.

"This member of parliament even attached the audio tape where several men, one of which had a voice similar to the voice of Mr. Sytnyk, discussed the matter."

— HULTV Staff



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Sent from ProtonMail Mobile

----- Forwarded message -----

From: John Solomon <[john@solomonsmedia.com](mailto:john@solomonsmedia.com)>

Date: On Tue, Mar 26, 2019 at 12:52 PM

Subject: Fwd: Outline of Soros reporting, including embedded documents

To: Lev Parnas <[lparnas@globalenergyproducers.com](mailto:lparnas@globalenergyproducers.com)>, Victoria Toensing <[vt@digenovaconsensing.com](mailto:vt@digenovaconsensing.com)>, Joe diGenova <[jd@digenovaconsensing.com](mailto:jd@digenovaconsensing.com)>

Cc:

**US embassy pressed Ukraine to drop probe of George Soros group during 2016 election**

**By John Solomon**

While the 2016 presidential election was raging in America, Ukrainian prosecutors ran into some unexpectedly strong headwinds as they pursued an investigation into the activities of a nonprofit in their homeland known as the Anti-Corruption Action Centre (AntAC).

The focus on AntAC -- whose youthful street activists famously wore "Ukraine F&K Corruption" t-shirts -- was part of a larger probe by Ukraine's Prosecutor General's office into whether \$4.4 million in U.S. funds to fight corruption inside the former Soviet republic had been improperly diverted.

The prosecutors would soon learn the resistance they were facing was blowing directly from the U.S. embassy in Kiev, where the Obama administration took the rare step of trying to press the Ukrainian government to back off its investigation of both the U.S. aid and the group.

"The investigation into the Anti-Corruption Action Center (sic), based on the assistance they have received from us, is similarly misplaced," then-U.S. embassy Charge d' Affaires George Kent wrote the prosecutor's office in April 2016 that also argued U.S. officials had no concerns about how the U.S. aide had been spent.

At the time, the nation's Prosecutor General had just been fired under pressure from the United States, and a permanent replacement had not yet been named.

A few months later, Yuriy Lutsenko, widely regarded as a hero in the West for spending two years in prison after fighting Russian aggression in his country, was named the new prosecutor general and invited to meet the new U.S. Ambassador Marie Yovanovitch.

Lutsenko told me he was stunned when the ambassador "gave me a list of people whom we should not prosecute." The list included a founder of the AntAC group as well as two members of Parliament who vocally supported the group's anti-corruption reform agenda, according to a source directly familiar with the meeting.

It turns out the group that Ukrainian law enforcement was probing was being co-funded both by the Obama administration and the liberal megadonor George Soros. And it was collaborating with the very FBI agents investigating then-Trump campaign manager Paul Manafort's business activities with pro-Russian figures in Ukraine.

The implied message to Ukraine's prosecutors was clear: Don't target AntAC in the middle of an America presidential election where Soros was backing Hillary Clinton to succeed another Soros-favorite, Barack Obama, Ukrainian officials said.

"We ran right into a buzzsaw, and we got bloodied," a senior Ukrainian official told me.

Lutsenko suggested the embassy applied pressure because it did not want Americans to see who was being funded with its tax dollars. "At the time Ms. Ambassador thought our interviews of the

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Ukrainian citizens, of the Ukrainian civil servants who were frequent visitors in the U.S. embassy, could cast a shadow on that anti-corruption policy," he said.

State officials told me privately they wanted Ukraine prosecutors to back off AntAC because they feared the investigation was simply retribution for the group's high-profile efforts to force anticorruption reforms inside Ukraine, some of which took authorities and prestige from the Prosecutor General's office.

But at the same time, the officials acknowledged, it was an unusual intervention. "We're not normally in the business of telling a country's police force who they can and can't pursue, unless it involves an American citizen we think is wrongly accused," one official said.

In the end, no action was taken against AntAC and it remains thriving today. Nonetheless, the anecdote is taking on new significance.

First, it conflicts with the State Department's official statement last week after Lutsenko first mentioned the do-not-prosecute list. The embassy responded the claim was a fabrication and a sign that corruption was alive and well inside Ukraine.

But Kent's letter unequivocally shows the embassy did press Ukrainian prosecutors to back off what normally would be considered an internal law enforcement matter inside a sovereign country. And more than a half dozen U.S. and Ukrainian sources confirmed to me the AntAC case wasn't the only one where American officials exerted pressure on Ukrainian investigators in 2016.

I asked State to explain the letter and the inclusion of the Soros-connected names during the meeting, and it demurred. "As a general rule, we don't read out private diplomatic meetings," it responded. "Ambassador Yovanovitch represents the President of the United States in Ukraine, and America stands behind her and her statements."

The second significance is the AntAC anecdote highlights a little-known fact that the pursuit of foreign corruption has resulted in an unusual alliance between the U.S. government and a political megadonor.

After the Obama Justice Department launched its Kleptocracy Initiative a decade ago to prosecute corruption in other countries, the State Department, the Justice Department and the FBI outsourced some of its work in Ukraine to groups funded by Soros.

The Hungarian-American businessman is one of the largest donors to American liberal causes, including Hillary Clinton's 2016 campaign, a champion of the U.S. kleptocracy crackdown and a man with extensive business interests in Ukraine.

One key U.S. partner was AntAC, which received 59 percent (or \$1 million) of its nearly \$1.7 million budget since 2012 from U.S. budgets tied to State and nearly \$290,000 from Soros' International Renaissance Foundation, according to the group's donor disclosure records.

The U.S.-Soros collaboration was visible in Kiev. Several senior Justice Department officials and FBI agents appeared in pictures as participants or attendees at Soros-sponsored events and conferences.

One attendee was Karen Greenaway, then the FBI supervisor in charge of international fraud cases and one of the lead agents in the Manafort investigation in Ukraine. She attended multiple such events and won glowing praise in a social post from AntAC's own executive director.

In one event during 2016, both Greenaway and Ambassador Yovanovitch participated alongside AntAC's executive director Daria Kalenluk while Lutsenko was present. The message was clear: the embassy supported AntAC.

The FBI confirmed Greenaway's contacts with the Soros group, saying they were part of her investigative work.

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"In furtherance of the FBI's mission and in the course of their duties, FBI employees routinely travel and participated in public forums in an official capacity. At a minimum, all such travel and speaking engagements are authorized by the employee's direct supervisor and can receive further authorization all the way up to the relevant division head, along with an ethics official determination," the bureau said.

Greenaway recently retired, and Soros' AntAC soon after announced she was joining its supervisory board.

Internal memos from Soros' umbrella charity organization, the Open Society Foundations, describe a concerted strategy of creating friendships inside key government agencies like State, DOJ and the FBI that can be leveraged inside the countries Soros was targeting for anti-corruption activism.

"We have broadly recognized the importance of developing supportive constituencies in order to make headway in tightening the global web of anticorruption accountability," a Feb. 21, 2014 memo states. "We first conceived of this in terms of fostering and helping to build a political environment favorable to high-level anti-corruption cases.

That same memo shows Soros' organization wanted to make Ukraine a top priority starting in 2014 and planned to use the Anti-Corruption Action Centre as its lead.

"Ukraine: Behind the scenes advice and support to Ukrainian partner Anti-Corruption Action Centre's efforts to generate corruption litigation in Europe and the U.S. respecting state assets stolen by senior Ukrainian leaders," the memo state.

The memo included a chart of Ukrainians the Soros team wanted pursued. Multiple figures on the chart had ties to Manafort.

Senior U.S. law enforcement officials confirmed to me that the early kleptocracy collaborations inside Ukraine led to highly visible U.S. actions against both the oligarch Dmitri Firtash, a major target of the Soros group, and Manafort. Firtash is now represented by former Hillary Clinton lawyer Lanny Davis and former U.S. Attorney Dan Webb.

Documents posted online by the Open Society Foundations show that after U.S. officials scored some early successes in kleptocracy actions in Ukraine, such as asset forfeitures, AntAC requested to receive some of the seized monies.

"Ukrainian NGO Anticorruption Action Centre (AntAC) petitioned the United States Justice Department on behalf of Ukrainian civil society to dedicate the nearly \$3 million in forfeited and seized assets allegedly laundered by former Ukrainian Prime Minister Pavlo Lazarenko, to creating an anticorruption training facility," a 2015 foundation document stated.

Spokespersons for AntAC and Open Society Foundations did not respond to repeated request for comment.

Michael Vashon, a spokesman for Soros, deferred any comment about AntAC to the group. But he did he confirm his boss supported the continued investigation of Russia collusion allegations against Trump well past 2016.

Vashon said Soros wrote a sizable check from his personal funds in fall 2017 to a new group called the Democracy Integrity Project started by a former FBI agent and Senate staffer named Daniel Jones to continue "investigation and research into foreign interference in American elections and European elections.

Vashon said the group asked Soros not to divulge the size of his contribution and Soros later learned the group hired Fusion GPS, the same firm that was paid by Hillary Clinton's campaign and the Democratic Party to create the now-infamous Steele dossier alleging Trump-Russia collusion.

The he said she said battle playing out between Ukraine's chief prosecutor and the American ambassador doesn't benefit either side. Rather, an honest, complete and transparent account of what the embassy communicated to Ukraine's law enforcement does.

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

• UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

And the tale of AntAC raises some cogent questions.

- Why would the U.S. embassy intervene on a Ukrainian internal investigation and later deny it exerted such pressure?
- Did Soros' role as a major political funder have any impact?
- Do Americans want U.S. tax dollars commingled with activists' private funds when it comes to anti-corruption probes?

Someone in State and Congress should try to get the answers.

AMERICAN  
OVERSIGHT

UNCLASSIFIED U.S. Department of State Case No. F-2019-06331 Doc. No. C06852069 Date: 11/22/2019

AMERICAN OVERSIGHT

ELIJAH E. CUMMINGS, MARYLAND  
CHAIRMAN

ONE HUNDRED SIXTEENTH CONGRESS

JIM JORDAN, OHIO  
RANKING MINORITY MEMBER

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Majority (202) 225-6051  
Minority (202) 225-6074

<https://oversight.house.gov>

### MEMORANDUM

October 2, 2019

**To: Members of the Committee on Oversight and Reform**

**Fr: Chairman Elijah E. Cummings**

**Re: Notice of Intent to Issue Subpoena**

Pursuant to the House of Representatives' impeachment inquiry, this memorandum provides Committee Members with notice of my intent to issue a subpoena to the White House.

This subpoena will be issued by the Committee on Oversight and Reform on Friday, October 4, 2019, under the Rules of the House of Representatives in exercise of its oversight and legislative jurisdiction and after consultation with the Committee on Foreign Affairs and the Permanent Select Committee on Intelligence.

The Committees are investigating the extent to which President Trump jeopardized national security by pressing Ukraine to interfere with our 2020 election and by withholding security assistance provided by Congress to help Ukraine counter Russian aggression, as well as any efforts to cover up these matters.

I do not take this step lightly. Over the past several weeks, the Committees tried several times to obtain voluntary compliance with our requests for documents, but the White House has refused to engage with—or even respond to—the Committees.

Only after overwhelming public pressure did the Trump Administration finally release the incriminating record of the President's July 25, 2019, call with the Ukrainian President and reverse its misguided decision to block the whistleblower complaint submitted to the Inspector General of the Intelligence Community from being transmitted to Congress as required by federal law.

The White House's flagrant disregard of multiple voluntary requests for documents—combined with stark and urgent warnings from the Inspector General about the gravity of these allegations—have left us with no choice but to issue this subpoena.

## I. BACKGROUND

On September 9, 2019, the Committee on Oversight and Reform, the Permanent Select Committee on Intelligence, and the Committee on Foreign Affairs sent a letter to White House Counsel Pat Cipollone requesting that the White House produce documents relating to these matters by September 16, 2019.<sup>1</sup> This request, along with a separate joint request to Secretary of State Mike Pompeo, was based on a growing public record that staff began examining months earlier relating to efforts by the President and his agent, Rudy Giuliani, to press Ukraine to pursue politically-motivated investigations into the President's domestic political rival.

The White House did not produce any documents by the requested date, did not send any reply letter, and did not acknowledge receipt of the request.

On September 24, 2019, the Committees sent a follow-up letter warning that the Chairmen would be forced to consider compulsory process if the White House continued to ignore the request. The Chairmen noted: "If the recent reports are accurate, it means the President raised with a foreign leader pursuing investigations related to a political opponent in an upcoming U.S. election."<sup>2</sup>

The letter continued:

Our Committees have a constitutional duty to serve as an independent check on the Executive Branch and to determine the facts regarding the actions of the President. Any attempt by a President to use the office of the presidency of the United States for personal political gain—rather than the national interest—fundamentally undermines our sovereignty, democracy, and the Constitution.<sup>3</sup>

The Committees set a new deadline of September 26, 2019, for the White House to produce these documents.<sup>4</sup> Again, the White House failed to comply and did not acknowledge receipt of our follow-up letter.

## II. NEW EVIDENCE OF PRESIDENTIAL ABUSE OF POWER

Since the Committees sent these letters, new evidence has emerged regarding the actions of the President and his agents in these matters.

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<sup>1</sup> Letter from Chairman Eliot L. Engel, House Committee on Foreign Affairs, Chairman Adam Schiff, House Permanent Select Committee on Intelligence, and Chairman Elijah E. Cummings, House Committee on Oversight and Reform, to Pat Cipollone, White House Counsel (Sept. 9, 2019) (online at [https://intelligence.house.gov/uploadedfiles/ele\\_schiff\\_cummings\\_letter\\_to\\_cipollone\\_on\\_ukraine.pdf](https://intelligence.house.gov/uploadedfiles/ele_schiff_cummings_letter_to_cipollone_on_ukraine.pdf)).

<sup>2</sup> Letter from Chairman Eliot L. Engel, House Committee on Foreign Affairs, Chairman Adam Schiff, House Permanent Select Committee on Intelligence, and Chairman Elijah E. Cummings, House Committee on Oversight and Reform, to Pat Cipollone, White House Counsel (Sept. 24, 2019) (online at [https://intelligence.house.gov/uploadedfiles/2019-09-24.eec\\_engel\\_schiff\\_to\\_cipollone-wh\\_re\\_potus\\_ukraine.pdf](https://intelligence.house.gov/uploadedfiles/2019-09-24.eec_engel_schiff_to_cipollone-wh_re_potus_ukraine.pdf)).

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*



In response to overwhelming congressional and public pressure, on September 25, 2019, the White House finally released a call summary of the July 25, 2019, telephone call, in which President Trump directly and repeatedly urged President Volodymyr Zelensky of Ukraine to investigate former Vice President Joseph Biden. According to the call summary, when the Ukrainian President raised his desire to obtain U.S.-manufactured Javelin missiles to counter Russian aggression, President Trump responded:

I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike... I guess you have one of your wealthy people... The server, they say Ukraine has it.... I would like to have the Attorney General call you or your people and I would like you to get to the bottom of it. As you saw yesterday, that whole nonsense ended with a very poor performance by a man named Robert Mueller, an incompetent performance, but they say a lot of it started with Ukraine. Whatever you can do, it's very important that you do it if that's possible.<sup>5</sup>

The Ukrainian President replied: "I guarantee as the President of Ukraine that all the investigations will be done openly and candidly. That I can assure you."<sup>6</sup>

President Trump then stated:

There's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution so if you can look into it.<sup>7</sup>

On September 26, 2019, the Intelligence Committee publicly released a whistleblower complaint that the Office of the Director of National Intelligence declassified and made available to the Intelligence Committee for the first time the evening before. The whistleblower complaint raises additional concerns about the White House's role in these matters, including restricting access to records of President Trump's call with President Zelensky. Specifically, the whistleblower alleges that White House lawyers "directed" officials to transfer the call records to a separate "codeword-level" computer system "of an especially sensitive nature."<sup>8</sup>

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<sup>5</sup> The White House, *Memorandum of Telephone Conversation* (July 25, 2019) (online at [www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf](http://www.whitehouse.gov/wp-content/uploads/2019/09/Unclassified09.2019.pdf)).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

<sup>8</sup> Letter to Chairman Richard Burr, Senate Select Committee on Intelligence, and Chairman Adam Schiff, House Permanent Select Committee on Intelligence (Aug. 12, 2019) (online at [https://intelligence.house.gov/uploadedfiles/20190812\\_-\\_whistleblower\\_complaint\\_unclass.pdf](https://intelligence.house.gov/uploadedfiles/20190812_-_whistleblower_complaint_unclass.pdf)).

One day later, the White House confirmed that White House attorneys had in fact directed that the July 25 call summary be placed onto a highly classified computer system.<sup>9</sup>

One former national security official who served in both Republican and Democratic Administrations stated: “In my almost six years on the NSC staff, I never personally saw or heard of the records of a presidential call being moved to the ‘code word’ system.” She added:

It is difficult to overstate just how abnormal and suspicious treating the call in that manner would be. It strongly suggests White House staff knew of serious wrongdoing by the President and attempted to bury it—a profound abuse of classified systems for political, and possibly criminal, purposes.<sup>10</sup>

More recently, press reports have indicated that additional documents relating to other Presidential calls and meetings also may have been restricted in similar ways.<sup>11</sup>

### III. AUTHORITY FOR SUBPOENA AND URGENT CIRCUMSTANCES

The Committees’ investigation may inform not only the House impeachment inquiry, but also Congress’ power of appropriations, multiple laws enacted by Congress, and legislative reforms that the House may consider.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. In addition, House Rule X, clause 3(i) specifically charges the Committee with conducting oversight of “the operation of Government activities at all levels, including the Executive Office of the President.” Finally, Rule X, clause 4 provides: “The findings and recommendations of the committee in such an investigation shall be made available to any other standing committee having jurisdiction over the matter involved.”

The Committee intends to issue a subpoena on Friday, October 4, 2019, consistent with the bipartisan agreement reached during the Committee’s organizational meeting on January 29, 2019. According to that agreement, a subpoena “should be used only when attempts to reach an accommodation with a witness have reached an impasse.” As described above, the White House has refused to even acknowledge the Committees’ requests.

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<sup>9</sup> *White House Classified Computer System is Used to Hold Transcripts of Sensitive Calls*, New York Times (Sept. 27, 2019) (online at [www.nytimes.com/2019/09/27/us/politics/nsc-ukraine-call.html](http://www.nytimes.com/2019/09/27/us/politics/nsc-ukraine-call.html)).

<sup>10</sup> *I Helped Classify Calls for Two Presidents. The White House Abuse of the System is Alarming*, Washington Post (Sept. 29, 2019) (online at [www.washingtonpost.com/outlook/2019/09/29/i-helped-classify-calls-two-presidents-white-house-abuse-system-is-alarming/](http://www.washingtonpost.com/outlook/2019/09/29/i-helped-classify-calls-two-presidents-white-house-abuse-system-is-alarming/)).

<sup>11</sup> See, e.g., *White House Restricted Access to Trump’s Calls with Putin and Saudi Crown Prince*, CNN (Sept. 28, 2019) (online at [www.cnn.com/2019/09/27/politics/white-house-restricted-trump-calls-putin-saudi/index.html](http://www.cnn.com/2019/09/27/politics/white-house-restricted-trump-calls-putin-saudi/index.html)); *Trump Pressed Australian Leader to Help Barr Investigate Mueller Inquiry’s Origins*, New York Times (Sept. 30, 2019) (online at [www.nytimes.com/2019/09/30/us/politics/trump-australia-barr-mueller.html](http://www.nytimes.com/2019/09/30/us/politics/trump-australia-barr-mueller.html)).

This is an urgent matter. The Inspector General of the Intelligence Community has determined that the core allegation under investigation raises a matter of “urgent concern,” is “credible,” and “relates to one of the most significant and important of the DNI’s responsibilities to the American people”: our free and fair elections.<sup>12</sup>

Due to the exigent nature of these matters, and since we are in recess for this two-week period, the calendar does not permit scheduling a business meeting to hold a vote on this subpoena without causing undue delay to the investigation. With respect to holding a Committee vote, our agreement states that “[t]here will be exceptions to this policy,” such as when “the calendar does not permit the Committee to schedule a markup.”

Although we will not hold a markup, I am attaching a copy of the subpoena schedule for your review, I am providing this memorandum to all Members with additional background, and I am seeking feedback through a poll of individual Member offices, which are requested to provide any information they would like to be considered on their positions with respect to this subpoena.

If you have any questions or would like more information, please contact Committee staff at (202) 225-5051.

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<sup>12</sup> Letter from Michael K. Atkinson, Inspector General of the Intelligence Community, to Chairman Adam Schiff, House Permanent Select Committee on Intelligence, and Ranking Member Devin Nunes, House Permanent Select Committee on Intelligence (Sept. 17, 2019) (online at [https://intelligence.house.gov/uploadedfiles/20190917\\_-\\_ic\\_ig\\_second\\_letter\\_to\\_hpsci\\_on\\_whistleblower.pdf](https://intelligence.house.gov/uploadedfiles/20190917_-_ic_ig_second_letter_to_hpsci_on_whistleblower.pdf)).

## SCHEDULE

In accordance with the attached Definitions and Instructions, you, John Michael “Mick” Mulvaney, in your capacity as Acting Chief of Staff to President Donald J. Trump, are hereby required to produce, for the time period from January 20, 2017, to the present, all documents and communications referring or relating to:

1. The potential or suggested investigations and legal cases referenced in the letter sent to White House Counsel Pat Cipollone on September 9, 2019, from Chairmen Eliot L. Engel, Adam B. Schiff, and Elijah E. Cummings (attached as Exhibit 1), including but not limited to those relating to Paul Manafort, Serhiy Leshchenko, the “Black Ledger,” Hunter Biden, and Burisma Holdings Ltd.;
2. President Trump’s April 21, 2019, and July 25, 2019, telephone conversations with Ukrainian President Volodymyr Zelensky, including but not limited to:
  - a. All recordings, transcripts, notes (including electronic and hand-written notes), summaries, and draft versions of the official “Memorandum of Telephone Conversation”;
  - b. All preparatory memoranda and materials; and
  - c. The identity of all individuals who listened to, participated in, assisted in preparation for, transcribed, took notes during, or received information about the April 21, 2019, and July 25, 2019, telephone conversations;
3. Communications between or among any of the following referring or relating in any way to the July 25, 2019, telephone conversation:
  - a. Current or former White House officials, employees, and detailees, including within the White House Counsel’s Office, the White House Situation Room, and the National Security Council (NSC), including but not limited to:
    - i. The Assistant to the President for National Security Affairs;
    - ii. The Deputy Assistant to the President for National Security Affairs;
    - iii. The Senior Director for European Affairs;
    - iv. All Directors within the Directorate or Directorates involved in European and Russian Affairs;
    - v. All Directors covering energy affairs;
    - vi. The Senior Director for the Directorate of International Economics;
    - vii. All White House Situation Room Duty Officers who staffed the call and produced the original draft “Memorandum of Telephone Conversation”;
    - viii. The Senior White House Situation Room Duty Officer during the telephone conversation;
    - ix. The NSC Legal Advisor;

- x. The NSC Executive Secretary and any other staff from NSC's Executive Secretary office involved in preparing the "Memorandum of Telephone Conversation" and any preparatory materials for the President prior to the telephone conversation; and
  - xi. The Office of the Vice President, to include Vice President Michael R. Pence and Lieutenant General Keith Kellogg;
- b. Current or former employees or officials of the Department of Justice, including but not limited to Attorney General William "Bill" Barr and Assistant Attorney General John Demers;
  - c. Current or former employees or officials of the Department of State, including but not limited to Secretary Michael R. Pompeo, Counselor T. Ulrich Brechbuhl, former Special Representative for Ukraine Negotiations Ambassador Kurt Volker, Deputy Assistant Secretary George Kent, U.S. Embassy in Ukraine Charge d'Affaires William B. Taylor, U.S. Embassy in Ukraine Deputy Chief of Mission Kristina Kvien, and Ambassador to the European Union Gordon Sondland;
  - d. Current or former employees or officials of the Department of Energy, including but not limited to Secretary Rick Perry and Special Advisor Samuel Buchan;
  - e. Current or former employees or officials of the Office of the Director of National Intelligence (ODNI), including but not limited to Acting Director Joseph Maguire and ODNI's Office of General Counsel;
  - f. Current or former employees or officials of the Central Intelligence Agency, including but not limited to General Counsel Courtney Simmons Elwood; and
  - g. Current or former employees or officials of the Department of Defense, including but not limited to Secretary of Defense Mark Esper and Undersecretary for Policy John C. Rood;
- 4. Any and all recordings, transcripts, notes (including electronic and hand-written notes), summaries, memoranda of conversation, readouts, or other documents memorializing communications between President Trump and the leader of any other foreign country that refer or relate to the subject matters of the July 25 telephone conversation between President Trump and President Zelensky, including but not limited to pursuing investigations of President Trump's political rivals and Ukrainian foreign aid;
  - 5. The actual or potential suspension, withholding, delaying, freezing, or releasing of foreign assistance of any kind, including but not limited to security assistance, to Ukraine;
  - 6. Any of the following meetings or potential meetings:

- a. All telephone calls, meetings, visits, or other communication involving President Trump and President Zelensky, including but not limited to requests, suggestions, proposals, or other communications;
  - b. A meeting at the White House on or around May 23, 2019, involving President Trump, former Special Representative for Ukraine Negotiations Ambassador Kurt Volker, Energy Secretary Rick Perry, or Ambassador Gordon Sondland;
  - c. President Zelensky's inauguration on May 20, 2019, in Kiev, Ukraine, including but not limited to President Trump's decision not to attend and not to send Vice President Pence to lead the U.S. delegation and to instead send Energy Secretary Rick Perry;
  - d. A meeting on or about July 10, 2019, at the White House between Ukrainian officials Andriy Yermak and Oleksander Danylyuk and U.S. government officials, including Energy Secretary Perry, former National Security Advisor John Bolton, former Special Representative for Ukraine Negotiations Ambassador Kurt Volker, and Ambassador Gordon Sondland, including but not limited to the proposed or actual participation of President Trump and Vice President Pence in the meeting;
  - e. A potential meeting between President Trump and President Zelensky in Warsaw, Poland in or around September 2019, including but not limited to President Trump's decision to cancel his attendance;
  - f. All meetings and communications between U.S. officials, including but not limited to Vice President Pence, Energy Secretary Perry, and Senior Advisor Jared Kushner, and President Zelensky or other Ukrainian government officials in Warsaw, Poland in or around September 2019; and
  - g. All meetings between President Trump and President Zelensky during the United Nations General Assembly in or around September 2019, including but not limited to any discussion of their July 25, 2019, telephone conversation, as well as any preparatory memoranda and materials generated for the meeting; any notes, readouts, summaries of the same; and any follow-up directives and guidance issued to NSC staff, as well as relevant departments and agencies, either formally or informally;
7. Efforts by any current or former member of the Trump Administration or Rudolph ("Rudy") W. Giuliani, Igor Fruman, Lev Parnas, Semyon ("Sam") Kislin, Joseph diGenova, Victoria Toensing, Vitaly Pruss or any of their associates, to induce, compel, petition, press, solicit, request, or suggest that current or former Ukrainian government officials, politicians, or other persons or entities associated with or acting in any capacity as a representative, agent, or proxy for any such individuals, investigate matters related to Burisma Holdings Ltd., Paul Manafort, Hunter Biden, Joseph Biden, the Democratic National Committee, Hillary Clinton, or any U.S. persons or entities;

8. All meetings or communications between any current or former White House officials, employees, or detailees, including President Trump, and Attorney General William Barr or any other Department of Justice official or employee, relating to the investigations described in paragraph 7;
9. All meetings between or among current or former White House officials or employees, including President Trump, and Rudolph W. Giuliani, including but not limited to requests for meetings or telephone calls, scheduling items, calendar entries, White House visitor records, and email or text messages using personal or work-related devices;
10. Former U.S. Ambassador to Ukraine Marie “Masha” Yovanovitch, including but not limited to the decision to end her tour or recall her from the U.S. Embassy in Kiev;
11. With respect to the storage of documents regarding telephone conversations:
  - a. Documents sufficient to show the dates and times when any documents referring or relating to the April 21, 2019, or July 25, 2019, telephone conversations between President Trump and President Zelensky were moved or transferred from one electronic system or server into another electronic system or server, the names, descriptions, and levels of classification of each electronic system or server involved, and the identity of all individuals who were involved in the transfer of any such documents;
  - b. Efforts to restrict access to, or limit the distribution of, documents referring or relating to the April 21, 2019, and July 25, 2019, telephone conversations, including but not limited to the transfer to, or placement of documents on, an electronic system or server cleared to hold codeword-level classified information, or the request or direction to do so; and
  - c. All policies, procedures, practices, or guidance at or from the White House or NSC referring or relating to the aforementioned electronic system or server, including all policies, procedures, practices, or guidance referring or relating to the transfer or placement of transcripts, summaries, memos, and notes of the President’s meetings and phone calls with foreign leaders on such system or server;
12. Efforts by any current or former White House officials, employees, or detailees, including President Trump, to identify or retaliate against the whistleblower who filed the complaint with the Inspector General of the Intelligence Community that was released by the House Permanent Select Committee on Intelligence on September 26, 2019, or against any individual who provided information to, or raised concerns to, the whistleblower or the Inspector General, including but not limited to any documents or communications referring or relating to searching communications, telephone records, telephones, or any other information to identify any of these individuals; and

13. Efforts to conceal, destroy, or otherwise dispose of any documents, records, or communications referring or relating to any of the foregoing matters.



**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

*In re* APPLICATION OF THE  
COMMITTEE ON THE JUDICIARY, U.S.  
HOUSE OF REPRESENTATIVES, FOR AN  
ORDER AUTHORIZING THE RELEASE  
OF CERTAIN GRAND JURY MATERIALS

Grand Jury Action No. 19-48 (BAH)

Chief Judge Beryl A. Howell

**MEMORANDUM OPINION GRANTING THE APPLICATION OF THE COMMITTEE  
ON THE JUDICIARY, U.S. HOUSE OF REPRESENTATIVES**

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In March 2019, Special Counsel Robert S. Mueller III ended his 22-month investigation and issued a two-volume report summarizing his investigative findings and declining either to exonerate the President from having committed a crime or to decide that he did. *See generally* Special Counsel Robert S. Mueller, III, U.S. Dep’t of Justice, *Report On The Investigation Into Russian Interference In The 2016 Presidential Election* (“Mueller Report”) (Mar. 2019), ECF Nos. 20-8, 20-9. The Special Counsel explained that bringing federal criminal charges against the President would “potentially preempt constitutional processes for addressing presidential misconduct.” *Id.* at II-1. With this statement, the Special Counsel signaled his view that Congress, as the federal branch of government tasked with presidential impeachment duty under the U.S. Constitution, was the appropriate body to resume where the Special Counsel left off.

The Speaker of the House of Representatives has announced an official impeachment inquiry, and the House Judiciary Committee (“HJC”), in exercising Congress’s “sole Power of Impeachment,” U.S. CONST. art. I, § 2, cl. 5, is reviewing the evidence set out in the Mueller Report. As part of this due diligence, HJC is gathering and assessing all relevant evidence, but one critical subset of information is currently off limits to HJC: information in and underlying the Mueller Report that was presented to a grand jury and withheld from Congress by the Attorney General.

The Department of Justice (“DOJ”) claims that existing law bars disclosure to the Congress of grand jury information. *See* DOJ’s Resp. to App. of HJC for an Order Authorizing Release of Certain Grand Jury Materials (“DOJ Resp.”), ECF No. 20. DOJ is wrong. In carrying out the weighty constitutional duty of determining whether impeachment of the President is warranted, Congress need not redo the nearly two years of effort spent on the Special Counsel’s investigation, nor risk being misled by witnesses, who may have provided information

to the grand jury and the Special Counsel that varies from what they tell HJC. As explained in more detail below, HJC's application for an order authorizing the release to HJC of certain grand jury materials related to the Special Counsel investigation is granted. *See* HJC's App. for an Order Authorizing the Release of Certain Grand Jury Materials ("HJC App."), ECF No. 1.

## **I. BACKGROUND**

What follows begins with a brief review of the initiation of the Special Counsel's investigation, the key findings in the Mueller Report and the grand jury secrecy redactions embedded therein, as well as the significant gaps in the Special Counsel's investigation that contributed to the Special Counsel assessment that "[t]he evidence we obtained about the President's actions and intent presents difficult issues that would need to be resolved if we were making a traditional prosecutorial judgement." Mueller Report at II-8.<sup>1</sup> Next reviewed is Congress's response to the release of the public redacted version of the Mueller Report and ensuing—and ultimately unsuccessful—negotiations with DOJ to obtain the full Report and related investigative materials, leading HJC to file the instant application, pursuant to Federal Rule of Criminal Procedure 6(e)(3)(E)(i).

### **A. The Special Counsel's Investigation**

On May 17, 2017, then-Deputy Attorney General ("DAG") Rod J. Rosenstein appointed Robert S. Mueller III to serve as Special Counsel for DOJ "to investigate Russian interference with the 2016 presidential election and related matters." U.S. Dep't of Justice, Office of the Deputy Attorney General, Order No. 3915-2017, Appointment of Special Counsel to Investigate Russian Interference with the 2016 Presidential Election and Related Matters ("Appointment

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<sup>1</sup> As noted, the Mueller Report is in two volumes, with each volume re-starting the page numbering. Thus, citations to this report use a nomenclature indicating the page number in either Volume I or Volume II.

Order”) (May 17, 2017) (capitalization altered).<sup>2</sup> Prior to the Special Counsel’s appointment, the Federal Bureau of Investigation (“FBI”) had already initiated “an investigation into whether individuals associated with the Trump Campaign [had] coordinat[ed] with the Russian government” to interfere in the 2016 presidential election. Mueller Report at I-1. The order authorizing the Special Counsel’s appointment thus had the effect of transferring the ongoing FBI investigation to his office. *See* Appointment Order ¶ b (authorizing the Special Counsel “to conduct the investigation confirmed by then-FBI Director James B. Comey in testimony before [Congress] on March 20, 2017”). The Special Counsel was also granted “jurisdiction to investigate matters that arose directly from the FBI’s Russia investigation, including whether the President had obstructed justice in connection with Russia-related investigations” and “potentially obstructive acts related to the Special Counsel’s investigation itself.” Mueller Report at II-1. Pursuant to this grant of authority—and upon receiving evidence “relating to potential issues of obstruction of justice involving the President”—the Special Counsel “determined that there was a sufficient factual and legal basis to further investigate . . . the President.” *Id.* at II-12.

In compliance with the DOJ regulations authorizing his appointment, upon completion of his investigation the Special Counsel issued a confidential report to the Attorney General “explaining the prosecution or declination decisions [he] reached.” *Id.* at I-1 (quoting 28 C.F.R. § 600.8(c)). That Report laid out the Special Counsel’s findings in two volumes, totaling 448 pages. Both HJC and DOJ point to the contents of the Report as highly relevant to resolving the

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<sup>2</sup> Then-Attorney General Jeff Sessions had recused himself “from any existing or future investigations of any matters related in any way to the campaigns for President of the United States,” Press Release, U.S. Dep’t of Justice, Attorney General Sessions Statement of Recusal (Mar. 2, 2017), making the Deputy Attorney General the “Acting Attorney General, by operation of law” as to such matters, *In re Grand Jury Investigation*, 315 F. Supp. 3d 602, 621 (D.D.C. 2018), *aff’d*, 916 F.3d 1047 (D.C. Cir. 2019).

current legal dispute. Indeed, DOJ submitted the public redacted version of the Mueller Report as exhibits to support its arguments. *See* DOJ's Resp., Exs. 8 (Volume I), 9 (Volume II), ECF Nos. 20-8, 20-9. Therefore, a recounting of some of the key events chronicled in and conclusions (or lack thereof) reached by the Special Counsel in the Mueller Report is in order.

Volume I of the Mueller Report "describe[s] the factual results of the Special Counsel's investigation of Russia's interference in the 2016 presidential election." Mueller Report at I-2. The Special Counsel concluded that "[t]he Russian government interfered in the 2016 presidential election in sweeping and systematic fashion," "principally through two operations." *Id.* at I-1. "First, a Russian entity carried out a social media campaign that favored presidential candidate Donald J. Trump and disparaged presidential candidate Hillary Clinton. Second, a Russian intelligence service conducted computer-intrusion operations against entities, employees, and volunteers working on the Clinton Campaign and then released stolen documents." *Id.* Russia hacked and stole "hundreds of thousands of documents," *id.* at I-4, from the Democratic National Committee, the Democratic Campaign Committee, and the Clinton Campaign, and then disseminated those documents through fictitious online personas and through the website WikiLeaks in order to influence the outcome of the 2016 presidential election. *Id.* at I-4, 38, 41, 48, 58.

Volume I of the Mueller Report also details evidence of "links between the Russian government and individuals associated with the Trump [2016 Presidential] Campaign." *Id.* at I-2-3. According to the Special Counsel, "the [Trump] Campaign expected it would benefit electorally from information stolen and released through Russian efforts," and the links between the Russian government and the Trump Campaign were "numerous." *Id.* at I-1-2. For instance, a meeting occurred on June 9, 2016 at Trump Tower in New York City, between a Russian

lawyer and senior Trump Campaign officials Donald Trump Jr., Jared Kushner, and then-campaign manager Paul Manafort, triggered by information provided to those campaign officials that the Russian lawyer would deliver “official documents and information that would incriminate Hillary [Clinton].” *Id.* at I-6 (internal quotation marks omitted). Additionally, the Mueller Report documents connections between Ukraine and Manafort, who had previously “work[ed] for a pro-Russian regime in Ukraine.” *Id.* at I-129. Among other things, the Special Counsel determined that “during the campaign” Manafort—through “Rick Gates, his deputy on the Campaign”—“periodically sent” internal Trump Campaign “polling data” to Konstantin Kilimnik, Manafort’s long-time business associate in Ukraine with alleged ties to Russian intelligence, with the expectation that Kilimnik would “share that information with others in Ukraine.” *Id.* The Mueller Report further recounts evidence suggesting that then-candidate Trump may have received advance information about Russia’s interference activities, stating:

Manafort, for his part, told the Office that, shortly after WikiLeaks’s July 22 release, Manafort also spoke with candidate Trump [redacted]. Manafort also [redacted] wanted to be kept apprised of any developments with WikiLeaks and separately told Gates to keep in touch [redacted] about future WikiLeaks releases.

According to Gates, by the late summer of 2016, the Trump campaign was planning a press strategy, a communications campaign, and messaging based on the possible release of Clinton emails by WikiLeaks. [Redacted] while Trump and Gates were driving to LaGuardia Airport. [Redacted], shortly after the call candidate Trump told Gates that more releases of damaging information would be coming.

*Id.* at I-53–54 (footnotes omitted) (redactions in original, with citation in referenced footnote 206 redacted due to grand jury secrecy).

The public version of Volume I contains over 240 redactions on the basis of grand jury secrecy.<sup>3</sup> These redactions occur in parts of the Mueller Report that include discussion of the Trump Tower Meeting, then-candidate Trump's discussion with associates about releases of hacked documents, and Manafort's contacts with Kilimnik. *See id.* at I-54 & n.206, 111–12, 117, 120, 136–37, 140, 143.

Volume II of the Mueller Report summarizes the “obstruction investigation,” which “focused on a series of actions by the President that related to the Russian-interference investigations, including the President’s conduct towards the law enforcement officials overseeing the investigations and the witnesses to relevant events.” *Id.* at II-3 (capitalization altered). The Special Counsel determined that “the President of the United States took a variety of actions towards the ongoing [Russia-related investigations] . . . that raised questions about whether he had obstructed justice.” *Id.* at II-1. For example, in the summer of 2017 after news reports about the Trump Tower Meeting, President Trump “directed aides not to publicly disclose the emails setting up the June 9 meeting” and “edited a press statement for Trump Jr.,” eliminating the portion “that acknowledged that the meeting was with ‘an individual who [Trump Jr.] was told might have information helpful to the campaign,’” even while President Trump’s personal attorney “repeatedly denied the President had played any role” in Trump Jr.’s statement. *Id.* at II-5 (alteration in original).

In another instance involving potential witness tampering, the Mueller Report examined the events leading to former Trump Organization executive and attorney Michael Cohen

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<sup>3</sup> Redactions in the Mueller Report were not applied by the Special Counsel’s Office but “by Department of Justice attorneys working closely together with attorneys from the Special Counsel’s Office, as well as with the intelligence community, and prosecutors who are handling ongoing cases.” William P. Barr, Attorney General, Department of Justice, Attorney General William P. Barr Delivers Remarks on the Release of the Report on the Investigation into Russian Interference in the 2016 Presidential Election (Apr. 18, 2019), <https://www.justice.gov/opa/speech/attorney-general-william-p-barr-delivers-remarks-release-report-investigation-russian>.

providing false testimony to Congress, in 2017, about a deal to build a Trump Tower in Moscow, Russia. *Id.* at II-6. While Cohen was preparing to give that false testimony the President's personal counsel told Cohen, according to Cohen, that "Cohen should 'stay on message' and not contradict the President." *Id.* Then, in April 2018, after Cohen became the subject of a criminal investigation and the FBI had searched Cohen's home and office, the President stated publicly "that Cohen would not 'flip'" and "contacted [Cohen] directly to tell him to 'stay strong,'" at the same time that President Trump's personal counsel "discussed pardons" with Cohen. *Id.*

As DOJ points out, DOJ Resp. at 32 n.19, the public version of Volume II contains some, but far fewer, redactions on the basis of grand jury secrecy than does the public version of Volume I.<sup>4</sup> Again, the Mueller Report recounts an incident when then-candidate Trump spoke to associates indicating that he may have had advance knowledge of damaging leaks of documents illegally obtained through hacks by the Russians, stating "shortly after WikiLeaks's July 22, 2016 release of hacked documents, [Manafort] spoke to Trump [redacted]; Manafort recalled that Trump responded that Manafort should [redacted] keep Trump updated. Deputy campaign

<sup>4</sup> The reason for the fewer grand jury-related redactions in Volume II addressing "questions about whether [the President] had obstructed justice," Mueller Report at II-1, becomes clear upon analysis. The introduction to this part of the Mueller Report provides assurances that "we conducted a thorough factual investigation in order to preserve the evidence when memories were fresh and documentary materials were available." *Id.* at II-2. As the Mueller Report highlights, "a President does not have immunity after he leaves office," and, quoting DOJ policy, the Report further observes that "an immunity from prosecution for a sitting President would not preclude such prosecution once the President's term is over or he is otherwise removed from office by resignation or impeachment." *Id.* at II-1 & n.4 (quoting *A Sitting President's Amenability to Indictment and Criminal Prosecution*, 24 Op. O.L.C. 222, 255 (2000) [hereinafter *OLC Op.*]). Yet, some individuals whose actions figure prominently in incidents described in Volume II were never compelled to testify under oath before the grand jury to preserve their testimony. For example, several witnesses, who simply declined to speak to the Special Counsel, as is their right, were not pursued with the tools available to prosecutors to gather material evidence in a criminal investigation. Certain consequences flow from these prosecutorial choices—other than the obvious fact that the grand jury was given no opportunity to consider this evidence—namely: the testimony of these individuals is not formally preserved but also any statements or documentary evidence that was obtained from these individuals is not protected by grand jury secrecy. *See In re Application of the Committee on the Judiciary*, No. 19-gj-48, 2019 WL 5268929, at \*1 (Oct. 17, 2019) (ordering DOJ to unseal improperly redacted portion of declaration pertaining to "identities of individuals who did not testify before the grand jury"); DOJ's Notice of Compliance with Ord. of Oct. 17, 2019 ("DOJ Notice"), Ex. 10, Decl. of Associate Deputy Attorney General ("ADAG") Bradley Weinsheimer ¶ 4 ("Revised ADAG Decl."), ECF No. 44-1 (revealing that "Don McGahn did not testify before the grand jury" and "Donald Trump, Jr. also did not testify before the grand jury").



manager Rick Gates said that . . . Manafort instructed Gates [redacted] status updates on upcoming releases. Around the same time, Gates was with Trump on a trip to an airport [redacted], and shortly after the call ended, Trump told Gates that more releases of damaging information would be coming.” *Id.* at II-18 (footnotes omitted) (redactions in original, with citation in footnote 27 redacted due to grand jury secrecy). In addition, a discussion related to the Trump Tower Meeting contains two grand jury redactions: “On July 12, 2017, the Special Counsel’s Office [redacted] Trump Jr. [redacted] related to the June 9 meeting and those who attended the June 9 meeting.” *Id.* at II-105 (redactions in original).

The Mueller Report acknowledges investigative “gaps” that were sufficiently significant that the Special Counsel could not “rule out the possibility that the unavailable information would shed additional light on (or cast in a new light) the events described in the report.” *Id.* at I-10. Six “identified gaps” were that: (1) “[s]ome individuals invoked their Fifth Amendment right against compelled self-incrimination and were not, in the Office’s judgment, appropriate candidates for grants of immunity”; (2) “[s]ome of the information obtained . . . was presumptively covered by legal privilege and was screened from investigators”; (3) “other witnesses and information—such as information known to attorneys or individuals claiming to be members of the media”—were not pursued “in light of internal Department of Justice policies”; (4) “practical limits” prevented the gathering of information and questioning of witnesses abroad; (5) “[e]ven when individuals testified or agreed to be interviewed, they sometimes provided information that was false or incomplete”; and (6) “some of the individuals we interviewed or whose conduct we investigated—including some associated with the Trump Campaign—deleted relevant communications or communicated during the relevant period using applications that feature encryption or that do not provide for long-term retention of data or

communications records.” *Id.* Consequently, the Mueller Report cautions that “[a] statement that the investigation did not establish particular facts does not mean there was no evidence of those facts.” *Id.* at I-2.

The Report acknowledges that these gaps adversely affected the investigation and, in some instances, precluded the Special Counsel from reaching any conclusion about whether criminal conduct occurred. For example, evidence related to the President’s knowledge about his personal attorney’s involvement in the preparation of Cohen’s false testimony to Congress was not pursued. The Mueller Report states that “[t]he President’s personal counsel declined to provide us with his account of his conversations with Cohen,” and “we did not seek to obtain the contents of any . . . communications” between President Trump and his attorney during that time period. *Id.* at II-154. “The absence of evidence about the President and his counsel’s conversations about the drafting of Cohen’s statement precludes us from assessing what, if any, role the President played.” *Id.* In another example, the Special Counsel examined the circumstances of a meeting held, during the transition, on January 11, 2017, on the Seychelles Islands between Kirill Dmitriev, the chief executive officer of Russia’s sovereign wealth fund, and Erik Prince, a businessman with close ties to Trump Campaign associates, including senior Trump advisor Steve Bannon. *See id.* at I-7, 148. Prince said he discussed the meeting with Bannon in January 2017, but Bannon denied this, and “[t]he conflicting accounts . . . could not be independently clarified . . . because neither [Prince nor Bannon] was able to produce any of the [text] messages they exchanged in the time period surrounding the Seychelles meeting.” *Id.* at I-156. “Prince’s phone contained no text messages prior to March 2017” and “Bannon’s devices similarly contained no messages in the relevant time period,” and neither Prince nor

Bannon could account for the absent messages. *Id.*; *see also id.* at I-153–55 (extensive grand jury redactions).<sup>5</sup>

Some areas of the report describing such gaps contain redactions of grand jury material. For example, in describing the Trump Tower Meeting, the Mueller Report states: “The Office spoke to every participant [at the Trump Tower Meeting] except [Natalia] Veselnitskaya and Trump, Jr., the latter of whom declined to be voluntarily interviewed by the Office,” with the remainder of the sentence redacted for grand jury secrecy. *Id.* at I-117. The Special Counsel declined to pursue charges related to this meeting in part because “the Office did not obtain admissible evidence likely to meet the government’s burden to prove beyond a reasonable doubt that these individuals acted ‘willfully.’” *Id.* at I-186.<sup>6</sup>

The Mueller Report also reveals the Special Counsel’s unsuccessful effort to speak directly with the President: “We also sought a voluntary interview with the President. After more than a year of discussion, the President declined to be interviewed,” which statement is followed by two lines redacted for references to grand jury material. *Id.* at II-13. Although “the President did agree to answer written questions on certain Russia-related topics, and he provided us with answers,” the President refused “to provide written answers to questions on obstruction topics or questions on events during the transition.” *Id.* The Special Counsel acknowledged “that we had the authority and legal justification to issue a grand jury subpoena to obtain the

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<sup>5</sup> Both Prince and Bannon testified before congressional committees. *See Testimony of Erik Prince Before the H. Permanent Select Comm. on Intelligence*, 115th Cong. (Nov. 30, 2017), <https://docs.house.gov/meetings/IG/IG00/20171130/106661/HHRG-115-IG00-Transcript-20171130.pdf>; H. PERMANENT SELECT COMM. ON INTELLIGENCE, 115TH CONG., SCOPE OF INVESTIGATION, MINORITY VIEWS at 11 (MARCH 26, 2018), <https://perma.cc/D9HE-AFUH> (reporting on Steve Bannon’s testimony).

<sup>6</sup> Another example involves a July 2016 trip to Moscow by Carter Page, then a Trump Campaign official, who gave a speech in Moscow and represented in emails to other Campaign officials that he also spoke with Russian government officials. Mueller Report at I-96, I-98, I-101. Yet, “[t]he Office was unable to obtain additional evidence or testimony about who Page may have met or communicated with in Moscow; thus, Page’s activities in Russia . . . were not fully explained.” *Id.* at I-101. This same paragraph reporting this gap in the evidence contains redacted references to grand jury material. *See id.*

President's testimony," but "chose not to do so." *Id.*; *see also* Mueller Report App'x C (describing efforts to interview the President in greater detail). When the Special Counsel testified before Congress on July 24, 2019, he acknowledged that the President's written responses to questions posed by the Special Counsel's Office were "generally" not only "inadequate and incomplete," but also "showed that he wasn't always being truthful." HJC App., Ex. W, *Former Special Counsel Robert S. Mueller, III on the Investigation into Russian Interference in the 2016 Presidential Election: Hearing before the H. Permanent Select Comm. on Intelligence*, 116th Cong. 83 (July 24, 2019), ECF No. 1-24.

The Special Counsel's investigation "did not establish that members of the Trump Campaign conspired or coordinated with the Russian government in its election interference activities." Mueller Report at I-2. Nor did the Special Counsel "make a traditional prosecutorial judgment" or otherwise "draw ultimate conclusions about the President's conduct." *Id.* at II-8. At the same time, the Special Counsel stated that "if we had confidence after a thorough investigation of the facts that the President clearly did not commit obstruction of justice, we would so state." *Id.* at II-2. "[W]hile this report does not conclude that the President committed a crime, it also does not exonerate him." *Id.*; *see also id.* at II-8, II-182 (reiterating that Report "does not exonerate" President). "Given the role of the Special Counsel as an attorney in the Department of Justice and the framework of the Special Counsel regulations," the Special Counsel "accepted" the DOJ Office of Legal Counsel's ("OLC") legal conclusion that "'the indictment or criminal prosecution of a sitting President would impermissibly undermine the capacity of the executive branch to perform its constitutionally assigned functions' in violation of 'the constitutional separation of powers.'" *Id.* at II-1 (citation omitted) (quoting *OLC Op.* at

222, 260). This OLC legal conclusion has never been adopted, sanctioned, or in any way approved by a court.

At the same time, impeachment factored into this analysis, as the Special Counsel also concluded “that Congress may apply the obstruction laws to the President’s corrupt exercise of the powers of office [which] accords with our constitutional system of checks and balances and the principle that no person is above the law.” *Id.* at II-8.

**B. Release of the Mueller Report**

On March 22, 2019, Attorney General (“AG”) William Barr, as required by 28 C.F.R. § 600.9(a)(3), notified the Chairmen and Ranking Members of the United States House and Senate Judiciary Committees, via a one-page letter, that the Special Counsel had completed his investigation. DOJ Resp., Ex. 1, Letter from William P. Barr, Attorney Gen., Dep’t of Justice, to Lindsey Graham, Chairman, S. Comm. on the Judiciary, et al. (Mar. 22, 2019), ECF No. 20-1. AG Barr stated that he “intend[ed] to consult with Deputy Attorney General Rosenstein and Special Counsel Mueller to determine what other information from the report [could] be released to Congress and the public consistent with the law,” and that he “remain[ed] committed to as much transparency as possible.” *Id.* Two days later, on March 24, 2019, AG Barr sent a second, four-page letter to the Chairmen and Ranking Members of the United States House and Senate Judiciary Committees, advising them “of the principal conclusions reached by Special Counsel Robert S. Mueller III,” and reiterating his “intent . . . to release as much of the Special Counsel’s report as [possible] consistent with applicable law,” noting that he first needed to identify information “subject to Federal Rule of Criminal Procedure 6(e),” as well as “information that could impact other ongoing matters.” DOJ Resp., Ex. 2, Letter from William P. Barr, Attorney

Gen., Dep’t of Justice, to Lindsey Graham, Chairman, S. Comm. on the Judiciary, et al. 1, 4 (Mar. 24, 2019), ECF No. 20-2.<sup>7</sup>

The next day, March 25, 2019, the chairpersons of six House committees (“House Committee Chairpersons”)—including HJC Chairman Jerrold Nadler—responded to AG Barr in a three-page letter. *See* HJC App., Ex. C, Letter from Jerrold Nadler, Chairman, H. Comm. on the Judiciary, et al., to William P. Barr, Attorney Gen., Dep’t of Justice (Mar. 25, 2019), ECF No. 1-4. Highlighting that each of their committees was “engaged in oversight activities that go directly to the President’s conduct, his attempts to interfere with federal and congressional investigations, his relationships and communications with the Russian government and other foreign powers, and/or other alleged instances of misconduct,” the House Committee Chairpersons “formally request[ed]” that AG Barr “release the Special Counsel’s full report to Congress” and “begin transmitting the underlying evidence and materials to the relevant committees.” *Id.* at 1. This information, they explained, was necessary “to perform their duties under the Constitution,” such as their duty to “make an independent assessment of the evidence regarding obstruction of justice.” *Id.* at 1, 2.<sup>8</sup>

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<sup>7</sup> In his summary of the Mueller Report’s “principal conclusions,” AG Barr stated that “[t]he Special Counsel’s investigation did not find that the Trump campaign or anyone associated with it conspired or coordinated with Russia in its efforts to influence the 2016 U.S. presidential election,” Letter from William P. Barr to Lindsey Graham, et al., *supra*, at 2 (Mar. 24, 2019), and that “[t]he Special Counsel . . . did not draw a conclusion—one way or the other—as to” whether the “actions by the President . . . that the Special Counsel investigated” “constituted obstruction,” *id.* at 3. AG Barr determined that “[t]he Special Counsel’s decision to describe the facts of his obstruction investigation without reaching any legal conclusions” left it to him as the Attorney General “to determine whether the conduct described in the report constitutes a crime,” and he “concluded that the evidence developed during the Special Counsel’s investigation is not sufficient to establish that the President committed an obstruction-of-justice offense.” *Id.*

<sup>8</sup> On February 22, 2019—before the Mueller Report was submitted to AG Barr but when media reporting suggested that the Special Counsel investigation was nearing its end—the House Committee Chairpersons had submitted a similar request to AG Barr, noting that “because the Department has taken the position that a sitting President is immune from indictment and prosecution, Congress could be the only institution currently situated to act on evidence of the President’s misconduct.” HJC App., Ex. B, Letter from Jerrold Nadler, Chairman, H. Comm. on the Judiciary, et al., to William P. Barr, Attorney Gen., Dep’t of Justice 2 (Feb. 22, 2019), ECF No. 1-3 (footnote omitted).

Four days later, on March 29, 2019, AG Barr responded to both the House Committee Chairpersons' letter and a letter sent by Senate Judiciary Committee ("SJC") Chairman Lindsey Graham. *See* DOJ Resp., Ex. 3, Letter from William P. Barr, Attorney Gen., Dep't of Justice, to Lindsey Graham, Chairman, S. Comm. on the Judiciary, and Jerrold Nadler, Chairman, H. Comm. on the Judiciary (Mar. 29, 2019), ECF No. 20-3. AG Barr reaffirmed that he was preparing the Report for release, again noting that redactions would be required to protect material that was subject to grand jury secrecy under Rule 6(e) and that could compromise sensitive sources and methods, as well as to protect information that could pose harm to other ongoing matters or was related to the privacy and reputations of third parties. *Id.* at 1.

The House Committee Chairpersons objected to AG Barr's proposed redactions. *See* HJC App., Ex. D, Letter from Jerrold Nadler, Chairman, H. Comm. on the Judiciary, et al., to William P. Barr, Attorney Gen., Dep't of Justice (Apr. 1, 2019), ECF No. 1-5. They observed that "[t]he allegations at the center of Special Counsel Mueller's investigation strike at the core of our democracy," such that "Congress urgently needs his full, unredacted report and its underlying evidence in order to fulfill its constitutional role." *Id.* at 2; *see also id.* App'x at 1 (stating that Congress has an "independent duty to investigate misconduct by the President"). As to grand jury material, the House Committee Chairpersons proposed that DOJ "seek leave from the district court to produce those materials to Congress—as it has done in analogous situations in the past," *id.* at 2, explaining that the material was needed because "[HJC] is engaged in an ongoing investigation of whether the President has undermined the rule of law, including by compromising the integrity of the Justice Department," *id.* App'x at 2.

On April 18, 2019, AG Barr released the Mueller Report in redacted form to the Congress and the public. *See* DOJ Resp., Ex. 4, Letter from William P. Barr, Attorney Gen.,

Dep't of Justice, to Lindsey Graham, Chairman, S. Comm. on the Judiciary, et al. (Apr. 18, 2019), ECF No. 20-4. AG Barr also promised to "make available" to SJC Chairman Graham, HJC Ranking Member Dianne Feinstein, HJC Chairman Nadler, and HJC Ranking Member Collins "a version of the report with all redactions removed except those relating to grand-jury information." *Id.* at 4.

Not satisfied with the redacted version of the Mueller Report, the next day HJC served a subpoena on AG Barr requiring the production of three classes of documents: (1) "[t]he complete and unredacted version of the [Mueller Report]," including attachments; (2) "[a]ll documents referenced in the Report"; and (3) "[a]ll documents obtained and investigative materials created by the Special Counsel's office." HJC App., Ex. G, Subpoena by Authority of the H. of Representatives to William P. Barr, Attorney Gen., Dep't of Justice 3 (Apr. 19, 2019), ECF No. 1-8.

DOJ has granted HJC access to "the entirety of Volume II, with only grand jury redactions" and did "the same with regard to Volume I" for "the Chairman and Ranking Member from [HJC]." DOJ Resp. at 6 n.2. DOJ has not, however, allowed HJC to review the portions of the Mueller Report redacted pursuant to Rule 6(e). *See, e.g.*, HJC App., Ex. K, Letter from Stephen E. Boyd, Assistant Attorney Gen., Dep't of Justice, to Jerrold Nadler, Chairman, H. Comm. on the Judiciary 4 (May 1, 2019), ECF No. 1-12 (stating that "Rule 6(e) contains no exception that would permit the Department to provide grand-jury information to the Committee in connection with its oversight role").

### **C. The Instant Proceeding**

On July 26, 2019, HJC submitted the instant application for an order pursuant to Federal Rule of Criminal Procedure 6(e) authorizing the release to HJC of certain grand jury materials



related to the Special Counsel's investigation. HJC App. HJC requests the release to it of three categories of material:

1. all portions of [the Mueller Report] that were redacted pursuant to Federal Rule of Criminal Procedure 6(e);
2. any underlying transcripts or exhibits referenced in the portions of the Mueller Report that were redacted pursuant to Rule 6(e); and
3. transcripts of any underlying grand jury testimony and any grand jury exhibits that relate directly to (A) President Trump's knowledge of efforts by Russia to interfere in the 2016 U.S. Presidential election; (B) President Trump's knowledge of any direct or indirect links or contacts between individuals associated with his Presidential campaign and Russia, including with respect to Russia's election interference efforts; (C) President Trump's knowledge of any potential criminal acts by him or any members of his administration, his campaign, his personal associates, or anyone associated with his administration or campaign; or (D) actions taken by former White House Counsel Donald F. McGahn II during the campaign, the transition, or McGahn's period of service as White House Counsel."

*Id.* at 1–2.

After entry of a scheduling order in accord with the dates proposed by the parties, *see* Min. Ord. (July 31, 2019), DOJ filed its response to HJC's application on September 13, 2019, maintaining that Rule 6(e) prohibits disclosure of the requested material to HJC, *see* DOJ Resp., and HJC filed its reply on September 30, 2019, *see* HJC's Reply in Support of its App. for an Order Authorizing the Release of Certain Grand Jury Materials ("HJC Reply"), ECF No. 33.<sup>9</sup> Following a hearing on October 8, 2019, the parties provided supplemental submissions to

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<sup>9</sup> On August 30, 2019, the Constitutional Accountability Center submitted an amicus brief in support of HJC's application, *see* Br. of Constitutional Accountability Ctr. as *Amicus Curiae* in Support of HJC, ECF No. 16-1, and, on October 3, 2019, Representative Doug Collins, HJC's Ranking Member, submitted an amicus brief urging denial of HJC's application, *see* Mem. Amicus Curiae of Ranking Member Doug Collins in Support of Denial ("Collins Mem."), ECF No. 35.

address additional issues not covered by the initial briefing. *See* Min. Ord. (October 8, 2019).<sup>10</sup>

This matter is now ripe for resolution.

## II. LEGAL STANDARD

Under Rule 6(e) of the Federal Rules of Criminal Procedure, disclosure of “a matter occurring before the grand jury” is generally prohibited. FED. R. CRIM. P. 6(e)(2)(B). While witnesses are expressly exempted from any “obligation of secrecy,” *id.* 6(e)(2)(A), the Rule provides a list of seven categories of persons privy to grand jury proceedings who must keep secret “[i]nformation . . . presented to the grand jury,” *In re Sealed Case No. 99-3091 (Office of Indep. Counsel Contempt Proceeding)*, 192 F.3d 995, 1002 (D.C. Cir. 1999) (*per curiam*), including grand jurors, interpreters, court reporters, operators of recording devices, persons who transcribe recorded testimony, attorneys for the government, and certain other persons to whom authorized disclosure is made, FED. R. CRIM. P. 6(e)(2)(B)(i)–(vii).<sup>11</sup>

Rule 6(e) also sets out exceptions to grand jury secrecy, some of which allow disclosure without any judicial involvement and others of which require either judicial notice or a court order. *See* FED. R. CRIM. P. 6(e)(3)(A)–(E).<sup>12</sup> The D.C. Circuit recently held, in *McKeever v.*

<sup>10</sup> As part of this supplemental briefing, DOJ was directed to provide its reasoning for redacting from public view, as grand jury material, portions of a declaration submitted by DOJ in support of its position that HJC’s application should be denied. *See* Min. Order (Oct. 8, 2019). This Court determined that the declaration had been improperly redacted and ordered DOJ to correct its error. *In re Application of the Committee on the Judiciary*, 2019 WL 5268929. DOJ complied with that order on October 20, 2019. *See* DOJ Notice.

<sup>11</sup> The definition of “a matter occurring before the grand jury” can also encompass information “that would ‘tend to reveal some secret aspect of the grand jury’s investigation, including’” the “strategy” or future “direction of the investigation,”” *Bartko v. U.S. Dep’t of Justice*, 898 F.3d 51, 73 (D.C. Cir. 2018) (quoting *Hodge v. FBI*, 703 F.3d 575, 580 (D.C. Cir. 2013)), but the D.C. Circuit has “cautioned . . . about ‘the problematic nature of applying so broad a definition,’” *see In re Sealed Case No. 99-3091*, 192 F.3d at 1001 (quoting *In re Sealed Case No. 98-3077*, 151 F.3d 1059, 1071 n.12 (D.C. Cir. 1998) (*per curiam*)).

<sup>12</sup> For instance, under Rules 6(e)(3)(A)(ii) and 6(e)(3)(D), the government may disclose grand jury material in certain circumstances without a court order but must provide notice of disclosure to the court that impaneled the grand jury. *See* FED. R. CRIM. P. 6(e)(3)(B), (D)(ii). In March 2016, this Court instituted a system for docketing such notices received in this District, and since that time the government has submitted 783 notice letters. *See In re Grand Jury Disclosures*, 16-gj-1 (D.D.C. 2016) (184 notices); *In re Grand Jury Disclosures*, 17-gj-1 (D.D.C. 2017) (83 notices); *In re Grand Jury Disclosures*, 18-gj-1 (D.D.C. 2018) (244 notices); *In re Grand Jury Disclosures*, 19-gj-1 (D.D.C. 2019) (272 notices). This number undercounts the actual number of disclosures, given that a single notice often advises that grand jury information has been shared with multiple persons and entities. Among these

*Barr*, 920 F.3d 842 (D.C. Cir. 2019), *reh'g denied*, Order, No. 17-5149 (D.C. Cir. July 22, 2019), *docketing petition for cert.*, No. 19-307 (U.S. Sept. 5, 2019), that the “text of the Rule” prevents disclosure of a “‘matter appearing [sic] before the grand jury’” “‘unless these rules provide otherwise.’” *Id.* at 848 (quoting incorrectly FED. R. CRIM. P. 6(e)(2)(B)).<sup>13</sup> In the D.C. Circuit’s binding view, “deviations from the detailed list of exceptions in Rule 6(e) are not permitted,” *id.* at 846, and thus a “district court has no authority outside Rule 6(e) to disclose grand jury matter,” *id.* at 850.<sup>14</sup>

### III. DISCUSSION

HJC is “not requesting the entire grand jury record” of the Special Counsel’s investigation. HJC Reply at 24.<sup>15</sup> Instead, HJC seeks only disclosure of the grand jury

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notices were sixteen instances when grand jury information was revealed to foreign governments. DOJ has represented that “[n]o grand jury information collected from the Mueller investigation and protected from disclosure was shared with any foreign government pursuant to Rule 6(e)(3)(D).” DOJ’s Supplemental Submission in Resp. to Min. Ord. of Oct. 8, 2019 (“DOJ Second Supp.”) at 2, ECF No. 40.

<sup>13</sup> The D.C. Circuit’s narrow textual reading of Rule 6(e) is based on the subsection in the Rule that secrecy is required “[u]nless these rules provide otherwise.” FED. R. CRIM. P. 6(e)(2)(B) (emphasis added). Yet, this subsection is difficult to reconcile with other statutory authorities that either require or permit disclosure of grand jury matter in civil forfeiture, financial regulatory, special–grand jury, and criminal defense contexts. *See, e.g.*, 18 U.S.C. § 3322(a) (allowing disclosure of grand jury information to “an attorney for the government . . . for use in connection with any civil forfeiture provision of federal law”); *id.* §§ 3322(a), (b)(1)(A) (authorizing disclosure of grand jury information to “an attorney for the government for use in enforcing section 951 of the Financial Institutions Reform, Recovery and Enforcement Act of 1989” and to federal and state financial institution regulatory agencies “for use in relation to any matter within the jurisdiction of such regulatory agency” when the relevant grand jury was investigating “a banking law violation”); *id.* §§ 3333(a), (b) (permitting special grand juries to provide reports that the impaneling court may make public); *id.* §§ 3500(b), (c)(3) (requiring disclosure to criminal defendant of certain grand jury testimony of trial witnesses).

<sup>14</sup> The D.C. Circuit in *McKeever* rejected the view articulated by this Court and several Circuit Courts of Appeals that courts have inherent authority to disclose grand jury material. *See, e.g., In re Application to Unseal Dockets Related to the Independent Counsel’s 1998 Investigation of President Clinton*, 308 F. Supp. 3d 314, 324 (D.D.C. 2018) (Howell, C.J.), *appeal docketed*, No. 18-5142 (D.C. Cir. May 17, 2018); *In re Petition of Kutler*, 800 F. Supp. 2d 42, 47 (D.D.C. 2011) (Lamberth, C.J.); *see also Carlson v. United States*, 837 F.3d 753, 766–67 (7th Cir. 2016); *In re Craig*, 131 F.3d 99, 103 (2d Cir. 1997); *Pitch v. United States*, 915 F.3d 704, 707 (11th Cir. 2019), *rehearing en banc ordered and opinion vacated*, 925 F.3d 1224 (11th Cir. 2019). HJC acknowledges this, conceding that “*McKeever* currently forecloses the Committee from prevailing before this Court on [an inherent–authority] argument,” but nonetheless raises inherent authority as a basis for disclosure to “preserve[] its argument” “[i]n the event *McKeever* is subject to further review.” HJC App. at 40.

<sup>15</sup> The entire grand jury record would be extensive since the Special Counsel’s investigation involved the execution of “nearly 500 search-and-seizure warrants,” issuance of “more than 230 orders for communications records under 18 U.S.C. § 2703(d),” “almost 50 orders authorizing use of pen registers,” “13 requests to foreign governments pursuant to Mutual Legal Assistance Treaties,” and “more than 2,800 subpoenas under the auspices of

information referenced in or underlying the Mueller Report as well as grand jury information collected by the Special Counsel relating to four categories of information pursuant to Rule 6(e)'s exception for disclosure "preliminarily to or in connection with a judicial proceeding." HJC App. at 26 (internal quotation marks omitted) (quoting FED. R. CRIM. P. 6(e)(3)(E)(i)). Disclosure of grand jury information is proper under this exception when three requirements are satisfied. The person seeking disclosure must first identify a relevant "judicial proceeding" within the meaning of Rule 6(e)(3)(E)(i); then, second, establish that the requested disclosure is "preliminarily to" or "in connection with" that proceeding; and, finally, show a "particularized need" for the requested grand jury materials. See *United States v. Sells Eng'g, Inc.*, 463 U.S. 418, 443 (1983) ("Rule 6(e)(3)([E])(i) simply authorizes a court to order disclosure 'preliminarily to or in connection with a judicial proceeding.' . . . We have consistently construed the Rule, however, to require a strong showing of particularized need for grand jury materials before any disclosure will be permitted."); *United States v. Baggot*, 463 U.S. 476, 480 (1983) (explaining that the "preliminarily to or in connection with a judicial proceeding" and the "particularized need" requirements "are independent prerequisites to ([E])(i) disclosure" (internal quotation marks omitted)).

As discussed more fully below, HJC has identified the requisite "judicial proceeding" to be a possible Senate impeachment trial, which is an exercise of judicial power the Constitution assigned to the Senate. See U.S. CONST. art. I, § 3, cl. 6. HJC has demonstrated that its current investigation is "preliminarily to" a Senate impeachment trial, as measured—per binding Supreme Court and D.C. Circuit precedent—by the "primary purpose" of HJC's requested disclosure to determine whether to recommend articles of impeachment against the President.

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a grand jury sitting in the District of Columbia," and interviews of "approximately 500 witnesses," "almost 80" of whom "testified before a grand jury." Mueller Report at I-13.

This purpose has only been confirmed by developments occurring since HJC initially submitted its application. Finally, HJC has further shown a “particularized need” for the requested grand jury materials that outweighs any interest in continued secrecy. *See Douglas Oil Co. of Ca. v. Petrol Stops Nw.*, 441 U.S. 211, 222–23 (1979). The need for continued secrecy is reduced, given that the Special Counsel’s grand jury investigation has ended, and is easily outweighed by HJC’s compelling need for the grand jury material referenced and cited in the Mueller Report to conduct a fulsome inquiry, based on all relevant facts, into potentially impeachable conduct by the President.

The three requirements for disclosure under Rule 6(e)(3)(E)(i) are addressed *seriatim*.

**A. Rule 6(e)’s “Judicial Proceeding” Requirement is Satisfied Because an Impeachment Trial is Such a Proceeding**

HJC posits that an impeachment trial before the Senate is a “judicial proceeding,” and that Rule 6(e)’s “judicial proceeding” requirement is thus satisfied. HJC App. at 28.<sup>16</sup> DOJ, for its part, rejects the proposition that any congressional proceeding may qualify as a “judicial proceeding.” DOJ Resp. at 13 (“The plain meaning of ‘judicial proceeding’ does not include congressional proceedings.”) (capitalization altered). This dispute thus presents the threshold issue of whether an impeachment trial in the Senate is a “judicial proceeding” under Rule 6(e). Consideration of this issue requires an understanding of (1) what the drafters of Rule 6(e) meant

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<sup>16</sup> An impeachment inquiry in the House may itself constitute a judicial proceeding. *See, e.g., Marshall v. Gordon*, 243 U.S. 521, 547 (1917) (characterizing instances when a “committee contemplat[es] impeachment” as times that congressional power is “transformed into judicial authority”); *Kilbourn v. Thompson*, 103 U.S. (13 Otto) 168, 191 (1880) (explaining that the House “exercises the judicial power . . . of preferring articles of impeachment”); *Trump v. Mazars USA, LLP*, No. 19-5142, 2019 WL 5089748, at \*27 (D.C. Cir. Oct. 11, 2019) (Rao, J., dissenting) (explaining that the House’s “power to investigate pursuant to impeachment . . . has always been understood as a limited judicial power”). HJC’s primary contention, however, is not that a House impeachment inquiry is a judicial proceeding, but that HJC’s current inquiry satisfies Rule 6(e) because that inquiry is “‘preliminar[y] to’ an impeachment trial.” HJC App. at 29 (alteration in original). As explained *infra* in Part III.B., HJC’s “‘preliminarily to” argument succeeds, and, consequently, whether a House impeachment inquiry constitutes a “judicial proceeding” within the meaning of Rule 6(e) need not be addressed.

by “judicial proceeding,” and (2) the precise nature of an impeachment trial. Both considerations are informed by history and, contrary to DOJ’s position, point to the same conclusion: an impeachment trial is, in fact, a “judicial proceeding” under Rule 6(e), as binding D.C. Circuit precedent correctly dictates.

### 1. The Term “Judicial Proceeding” in Rule 6(e) Has a Broad Meaning

In the Rule 6(e) context, “[t]he term judicial proceeding has been given a broad interpretation by the courts.” *In re Sealed Motion*, 880 F.2d 1367, 1379 (D.C. Cir. 1989) (per curiam). The D.C. Circuit has indicated that “judicial proceeding” might “include[] every proceeding of a judicial nature before a competent court or before a tribunal or officer clothed with judicial or quasi judicial powers.” *Id.* at 1380 (quoting *Jones v. City of Greensboro*, 277 S.E.2d 562, 571 (N.C. 1981), *overruled in part on other grounds by Fowler v. Valencourt*, 435 S.E.2d 530 (N.C. 1993)); *see also In re North*, 16 F.3d 1234, 1244 (D.C. Cir. 1994) (quoting *In re Sealed Motion*, 880 F.2d at 1380)); *Haldeman v. Sirica*, 501 F.2d 714, 717 (D.C. Cir. 1974) (en banc) (MacKinnon, J. concurring in part and dissenting in part) (describing Rule 6(e) judicial proceeding as one “in which due process of law will be available”); *In re Grand Jury Investigation of Uranium Indus. (In re Uranium Grand Jury)*, No. 78-mc-0173, 1979 WL 1661, at \*6 (D.D.C. Aug. 21, 1979) (Bryant, C.J.) (noting that the “judicial proceeding” exception authorizes disclosure of grand jury materials to a “wide variety of official bodies”).<sup>17</sup>

<sup>17</sup> DOJ relies on the definition first articulated by Judge Learned Hand in *Doe v. Rosenberg*, 255 F.2d 118 (2d Cir. 1958). *See* DOJ Resp. at 14–15. That definition provides: “[T]he term ‘judicial proceeding’ includes any proceeding determinable by a court, having for its object the compliance of any person, subject to judicial control, with standards imposed upon his conduct in the public interest, even though such compliance is enforced without the procedure applicable to the punishment of crime.” *Doe*, 255 F.2d at 120. DOJ’s reliance on this definition is puzzling since courts—including the D.C. Circuit—have consistently recognized that Judge Hand gave “judicial proceeding” “a broad interpretation.” *In re Sealed Motion*, 880 F.2d at 1379, and judges of this Court have already twice recognized that Judge Hand’s definition encompasses an impeachment trial, *see In re Report & Recommendation of June 5, 1972 Grand Jury*, 370 F. Supp. 1219, 1228–30 (D.D.C. 1974) (citing *Doe*); *In re Uranium Grand Jury*, 1979 WL 1661, at \*5–7 (citing *Doe*) (explaining that a Senate impeachment trial “presided over by the Chief Justice of the United States” is “very much a judicial proceeding,” *id.* at \*7).

In keeping with the term's "broad meaning," disclosure of grand jury materials has been judicially authorized under the "judicial proceeding" exception in an array of judicial and quasi-judicial contexts. Courts, for instance, have determined that attorney disciplinary proceedings are "judicial proceedings" because such a proceeding is "designed in the public interest to preserve the good name and uprightness of the bar, made up, as it is, of attorneys who are public officers." *Doe v. Rosenberry*, 255 F.2d 118, 120 (2d Cir. 1958); *see also, e.g., In re J. Ray McDermott & Co.*, 622 F.2d 166, 170 (5th Cir. 1980). Similarly, courts have permitted disclosure in connection with internal police disciplinary proceedings under the "judicial proceeding" exception. *See, e.g., In re Bullock*, 103 F. Supp. 639, 641, 643 (D.D.C. 1952). The D.C. Circuit's decisions are in accord. The Circuit has held that the following proceedings are eligible for disclosure under Rule 6(e): (1) "disciplinary proceedings of lawyers" conducted by "bar committees," *United States v. Bates*, 627 F.2d 349, 351 (D.C. Cir. 1980) (*per curiam*), (2) grand jury investigations themselves, *In re Grand Jury*, 490 F.3d 978, 986 (D.C. Cir. 2007) (*per curiam*), and (3) proceedings pursuant to the now-expired Independent Counsel Act, 28 U.S.C. § 591 *et seq.* (1987), to determine what portions of an independent counsel report are appropriate for release, *see, e.g., In re Sealed Motion*, 880 F.2d at 1380. Additionally, the D.C. Circuit has even indicated that parole hearings might qualify. *See In re Sealed Motion*, 880 F.2d at 1380 n.16 (citing *United States v. Shillitani*, 345 F.2d 290, 293 (2d Cir. 1965), *vacated on other grounds*, 384 U.S. 364 (1966)).

As these examples illustrate, the term "judicial proceeding" in Rule 6(e) does not refer exclusively to proceedings overseen by courts exercising the "judicial Power of the United States" referred to in Article III of the Constitution. U.S. CONST. art. III, § 1. Plainly, proceedings in state courts are "judicial proceedings" eligible for disclosure of grand jury

information. *See, e.g., United States v. Colonial Chevrolet Corp.*, 629 F.2d 943, 947 & n.9 (4th Cir. 1980) (noting that the court “may authorize disclosure under the circumstances detailed in Rule 6(e)(3); in fact it has done so in many cases in support of proceedings in both federal and state judicial, and even in state administrative, proceedings”) (citing *Doe*, 255 F.2d 118; *In re Disclosure of Testimony, Etc.*, 580 F.2d 281 (8th Cir. 1978) (authorizing disclosure of federal grand jury material to municipality investigating judicial misconduct); *In re 1979 Grand Jury Proceedings*, 479 F. Supp. 93 (E.D.N.Y. 1979) (authorizing disclosure of federal grand jury material regarding obstruction by municipal employees to municipality)); *In re Petition for Disclosure of Evidence Before Oct., 1959 Grand Jury*, 184 F. Supp. 38, 41 (E.D. Va. 1960) (citing *Doe*, 255 F.2d 118) (“We cannot agree with the United States that this phrase refers only to a Federal proceeding.”).

Moreover, at the federal level, “the judicial power of the United States is not limited to the judicial power defined under Article III.” *Freytag v. Comm’r of Internal Revenue*, 501 U.S. 868, 889 (1991) (citing *Am. Ins. Co. v. Canter*, 26 U.S. (1 Pet.) 511, 546 (1828)). The United States Tax Court, for example, “is not a part of the Article III Judicial Branch,” and “its judges do not exercise the ‘judicial Power of the United States’ under Article III,” *Kuretski v. Comm’r of Internal Revenue*, 755 F.3d 929, 940 (D.C. Cir. 2014). Nevertheless, the Tax Court “exercises a portion of the judicial power of the United States,” *Freytag*, 501 U.S. at 891, and that judicial power has, in turn, been deemed sufficient to make Tax Court proceedings “judicial proceedings” under Rule 6(e), *see In re Grand Jury Subpoenas Duces Tecum*, 904 F.2d 466, 468 (8th Cir. 1990) (“[T]he tax court redetermination hearing satisfies the judicial proceeding requirement.”); *Patton v. Comm’r of Internal Revenue*, 799 F.2d 166, 172 (5th Cir. 1986) (“Clearly a tax court petition for redetermination is a ‘judicial proceeding’ within the meaning of



Rule 6(e)(3)([E])(i).”); *United States v. Anderson*, No. 05-cr-0066, 2008 WL 1744705, at \*2 (D.D.C. Apr. 16, 2008) (ordering that grand jury materials be shared pursuant to Rule 6(e)(E)(i) in connection with a “law suit . . . pending before the United States Tax Court”); *see also, e.g., In re Grand Jury Proceedings*, 62 F.3d 1175, 1180 (9th Cir. 1995) (indicating that disclosure in connection with tax court litigation would be permissible under Rule 6(e) “upon an adequate showing” of need).<sup>18</sup> Accordingly, while judicial power of some kind may be necessary to make a proceeding “judicial” under Rule 6(e), the exercise of *Article III* judicial power is not required.

Notwithstanding the weight of these precedents, DOJ maintains that an impeachment trial cannot be a “judicial proceeding” under Rule 6(e) because the plain and ordinary meaning of the term refers to “legal proceedings governed by law that take place in a judicial forum before a judge or a magistrate.” DOJ Resp. at 2; *see also id.* at 13 (“By its plain terms, the phrase ‘judicial proceeding’ means a matter that transpires in court before a neutral judge according to generalized legal rules.”).<sup>19</sup> This plain-meaning argument ignores the broad interpretation given to the term “judicial proceeding” as used in Rule 6(e), *see, e.g., In re Sealed Motion*, 880 F.2d at

<sup>18</sup> Even the Supreme Court, in *Baggot*, recognized that Tax Court proceedings are “judicial proceedings” under Rule 6(e). Although purporting not to address “the knotty question of what, if any, sorts of proceedings other than garden-variety civil actions or criminal prosecutions might qualify as judicial proceedings under (E)(i),” 463 U.S. at 479 n.2, the Court advised that the Seventh Circuit “correctly held” that “the IRS may seek (E)(i) disclosure” when a “taxpayer ha[s] clearly expressed its intention to seek redetermination of [a claimed tax] deficiency in the Tax Court” and “the Government’s primary purpose is . . . to defend the Tax Court litigation,” *id.* at 483.

<sup>19</sup> DOJ also cites to the use of “judicial proceeding” in two other subsections of Rule 6(e)—(e)(3)(F) and (e)(3)(G)—as generally referring to court proceedings, DOJ Resp. at 17, but this argument relies on one of the least probative statutory-interpretation presumptions. Although “[o]ne ordinarily assumes ‘that identical words used in different parts of the same act are intended to have the same meaning,’” “the presumption of consistent usage ‘readily yields’ to context, and a statutory term . . . ‘may take on distinct characters from association with distinct statutory objects calling for different implementation strategies.’” *Util. Air Regulatory Grp. v. EPA*, 573 U.S. 302, 319–20 (2014) (internal quotation marks omitted) (quoting *Env’tl. Def. v. Duke Energy Corp.*, 549 U.S. 561, 574 (2007)). Moreover, as HJC explains, subsection (e)(3)(F) may in fact cover a Senate impeachment trial, and as to subsection (e)(3)(G), significant textual differences distinguish this subsection from (e)(3)(E)(i). *See* HJC Reply at 12–13. In any event, historical practice and binding precedent guide the proper construction of Rule 6(e)(3)(E)(i), no matter the use of the term “judicial proceeding” in other parts of the criminal procedure rules.

1379, and fails to grapple with the judicial nature of an impeachment trial, *see infra* Part III.A.2. In any event, applying DOJ’s plain-meaning construction and imposing a requirement that a “judge” preside to qualify as a “judicial proceeding” would not remove an impeachment trial from Rule 6(e)’s ambit since the Chief Justice of the Supreme Court presides over any Senate impeachment trial of the President. U.S. CONST. art. I, § 3, cl. 6.<sup>20</sup> DOJ dismisses the Chief Justice’s role in impeachment trials as “purely administrative, akin to a Parliamentarian,” whose decisions can be overridden by a vote of the Senate. DOJ Resp. at 16. Even if true up to a point, the fact remains that the Senate may grant the Chief Justice as significant a role as it sees fit.

In sum, “judicial proceeding,” as used in Rule 6(e), is a term with a broad meaning that includes far more than just the prototypical judicial proceeding before an Article III judge.

## **2. An Impeachment Trial is Judicial in Nature**

DOJ flatly states that no congressional proceeding can constitute a Rule 6(e) “judicial proceeding” because “[t]he Constitution carefully separates congressional impeachment proceedings from criminal judicial proceedings.” DOJ Resp. at 15. This stance, in service of the obvious goal of blocking Congress from accessing grand jury material for any purpose, overlooks that an impeachment trial is an exercise of judicial power provided outside Article III and delegated to Congress in Article I.<sup>21</sup> Contrary to DOJ’s position—and as historical practice, the Federalist Papers, the text of the Constitution, and Supreme Court precedent all make clear—impeachment trials are judicial in nature and constitute judicial proceedings.

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<sup>20</sup> DOJ observes that impeachment trials of officials other than the President are presided over by “the Vice President or whichever Senator is presiding at that time,” rather than by the Chief Justice. DOJ Resp. at 16. This constitutional quirk is irrelevant here since the instant petition concerns the possible impeachment of the President.

<sup>21</sup> Although Representative Collins, like DOJ, supports denial of HJC’s application, he “agrees with [HJC] that an impeachment inquiry . . . fall[s] under Federal Rule of Criminal Procedure 6(e)’s judicial proceeding exception because” an impeachment inquiry is “preliminary to a trial in the U.S. Senate.” Collins Mem. at 1.

“The institution of impeachment is essentially a growth deep rooted in the ashes of the past.” Wrisley Brown, *The Impeachment of the Federal Judiciary*, 26 HARV. L. REV. 684, 685 (1913). It was “born of the parliamentary usage of England,” *id.*, where “the barons reserved to Parliament the right of finally reviewing the judgments’ [sic] of all the other courts of judicature.” *Id.* “[T]he assembled parliament . . . represent[ed] in that respect the judicial authority of the king,” and “[w]hile this body enacted laws, it also rendered judgments in matters of private right.” *Kilbourn v. Thompson*, 103 U.S. (13 Otto) 168, 183 (1880); *see also* Brown, *supra*, at 685. (explaining that “the Parliament [was] the high court of the realm in fact as well as in name”). “Upon the separation of the Lords and Commons into two separate bodies . . . called the House of Lords and the House of Commons, the judicial function of reviewing by appeal the decisions of the courts of Westminster Hall passed to the House of Lords.” *Kilbourn*, 103 U.S. (13 Otto) at 183–84. “To the Commons,” however, “was left the power of impeachment, and, perhaps, others of a judicial character.” *Id.* at 184. “And during the memorable epoch prelude the dawn of American independence,” the English practice of impeachment, “though seldom put into application, was still in the flower of its usefulness.” Brown, *supra*, at 687.

During the drafting of the Constitution, this English history informed how the Framers approached impeachment, and examination of pertinent Federalist Papers confirms that they viewed the impeachment power as judicial. *See* THE FEDERALIST NO. 65, at 397 (Alexander Hamilton) (Clinton Rossiter ed., 1961) (explaining that impeachment in the United States was “borrowed” from the “model” “[i]n Great Britain”). Alexander Hamilton’s writings in Federalist Nos. 65 and 66 are illustrative. The preceding Federalist Nos. 62, 63, and 64 had discussed most of the powers that the new Constitution granted to the Senate. *See* THE FEDERALIST NOS. 62–63

(probably James Madison), No. 64 (John Jay). The only “remaining powers” to be discussed were those “comprised in [the Senate’s] participation with the executive in the appointment to offices, and in [the Senate’s] judicial character,” and Hamilton accordingly used Federalist Nos. 65 and 66 to “conclude” the discussion of the Senate “with a view of the judicial character of the Senate” “as a court for the trial of impeachments.” THE FEDERALIST NO. 65, *supra*, at 396 (Alexander Hamilton).

As Hamilton’s thinking on the subject of impeachment demonstrates, his choice of the words “judicial” and “court for the trial of impeachments” was purposeful. *See Nixon v. United States*, 938 F.2d 239, 260 (D.C. Cir. 1991) (Randolph, J., concurring) (“The inference that the framers intended impeachment trials to be roughly akin to criminal trials is reinforced by seemingly unrefuted statements made by Alexander Hamilton during the ratification debates.”), *aff’d*, 506 U.S. 224 (1993).<sup>22</sup> For instance, Hamilton described the appointment of officers—which is an executive function—and impeachment, as powers given to the Senate “in a distinct capacity” from all of the Senate’s other powers. THE FEDERALIST NO. 65, *supra*, at 396. By citing those two powers in particular and separating them from all others bestowed on the Senate, he thus conveyed that those powers were, unlike those that came before, *not* legislative. Additionally, when Hamilton considered potential alternative “tribunal[s],” *id.* at 398, that might be granted the power of trying impeachments, he considered the primary alternatives to be

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<sup>22</sup> Indeed, Hamilton’s discussion of the Senate’s impeachment power in Federalist Nos. 65 and 66, uses such judicial terms repeatedly and consistently. Hamilton referred to the “court,” the “court of impeachments,” and the “court for the trial of impeachments” a total of *seventeen* times. THE FEDERALIST NOS. 65–66, *supra*, at 396–407 (Alexander Hamilton). Moreover, when referring to impeachment, Hamilton also used the following additional terms associated with the judicial nature of the proceeding: “jurisdiction” once; “offense(s)” or “offender” five times; “prosecution” or “prosecutors” three times; “accused,” “accusers,” “accusation,” or “accusing” nine times; “case(s)” five times; “decision,” “decide,” or “deciding” eight times; “innocence” or “innocent” three times; “guilt” or “guilty” five times; “inquest,” “inquisitors,” or “inquiry” four times; “tribunal” twice; “judges” or “judging” ten times; “sentence” or “sentenced,” including “sentence of the law,” five times; “party” once; “punishment” or “punish” seven times; “conviction” once; “trial” or “try” four times, not counting instances of “courts for the trial of impeachments”; “verdict(s)” twice; “liable” once; and “charges” once. *Id.*

assignment of the power directly to the Supreme Court alone, *id.*, or assignment to the “Supreme Court with the Senate,” *id.* at 399, underscoring the judicial nature of the impeachment-trial power.

Most importantly, when Hamilton addressed the objection that making the Senate the “court of impeachments” “confound[ed] legislative and judiciary authorities in the same body,” he *accepted* the premise that granting the Senate the power to try impeachments produced an “intermixture” of “legislative and judiciary authorities.” THE FEDERALIST NO. 66, *supra*, at 401; *see also* THE FEDERALIST NO. 81, *supra*, at 482 (Alexander Hamilton) (noting that there are “men who object to the Senate as a court of impeachments, on the ground of an improper intermixture of powers”). Such “partial intermixture,” he argued, is “not only proper but necessary to the mutual defense of the several members of the government against each other.” THE FEDERALIST NO. 66, *supra*, at 401–02. He pointed out that many states at the time combined legislative and judicial functions: the New York constitution made the New York Senate, “together with the chancellor and judges of the Supreme Court, not only a court of impeachments, but the highest judicatory in the State, in all causes, civil and criminal,” *id.* at 402; in New Jersey, “the final judiciary authority [was] in a branch of the legislature,” *id.* at 402 n.\*; and “[i]n New Hampshire, Massachusetts, Pennsylvania, and South Carolina, one branch of the legislature [was] the court for the trial of impeachments,” *id.* These Federalist Papers leave no doubt that the power to try impeachments was, in Hamilton’s view, inherently judicial. *See Nixon*, 938 F.2d at 261 (Randolph, J., concurring) (“From all of [Hamilton’s] statements, it can be reasonably inferred that the framers intended that the Senate would approach its duty of trying impeachments with the solemnity and impartiality befitting judicial action . . .”).

Hamilton was not the only Founder who conceived of the impeachment power as inherently judicial. Notably, James Madison shared Hamilton's view. In Federalist No. 38, Madison, like Hamilton, noted that a principle objection to the Constitution was "the trial of impeachments by the Senate, . . . when this power so evidently belonged to the judiciary department." THE FEDERALIST NO. 38, *supra*, at 236 (James Madison). Then, in Federalist No. 47, Madison defended this mixing of powers. In the British system, Madison pointed out, "the legislative, executive, and judiciary departments are by no means totally separate and distinct from each other" because, *inter alia*, "[o]ne branch of the legislative department . . . is the sole depository of judicial power in cases of impeachment." THE FEDERALIST NO. 47, *supra*, at 302 (James Madison) (spelling irregularity in original). Such mixing, he pointed out, occurred in the states as well, such as in New Hampshire, where "[t]he Senate, which is a branch of the legislative department, is also a judicial tribunal for the trial of impeachments," and in Massachusetts, where "the Senate, which is a part of the legislature, is a court of impeachment," notwithstanding a declaration in the state's constitution "'that the legislative department shall never exercise the . . . judicial powers.'" *Id.* at 304–05 (citing also to the "court for the trial of impeachments" in New York "consist[ing] of one branch of the legislature and the principal members of the judiciary department," *id.* at 305, and to the "court of impeachments" in Delaware, "form[ed]" by "one branch of the [legislative department]," *id.* at 306)).

Hamilton and Madison's view is confirmed by the text of the Constitution. By making the Senate the "court of impeachments," *id.* at 306; THE FEDERALIST NO. 65, *supra*, at 398 (Alexander Hamilton), the Framers tasked the Senate with a judicial assignment. Article I uses judicial terms to refer to impeachment trials in three separate instances in the sixth clause of its third section, stating that the Senate is granted "the sole Power to *try* all Impeachments"; "[w]hen

the President of the United States is *tried*, the Chief Justice shall preside”; “[a]nd no person shall be *convicted* without the Concurrence of two thirds of the Members present.” U.S. CONST. art. I, § 3, cl. 6 (emphases added). The next clause continues the theme: “*Judgment in Cases of Impeachment* shall not extend further than to removal from Office, and disqualification to hold and enjoy any Office . . . : but the Party *convicted* shall nevertheless be liable and subject to [criminal prosecution].” *Id.* cl. 7 (emphases added). Article II, meanwhile, prevents the President’s power to pardon from extending to “*Cases of Impeachment*,” *id.* art. II, § 2, cl. 1 (emphasis added), and allows for removal of the President “on Impeachment for, and *Conviction* of, Treason, Bribery, or other high *Crimes and Misdemeanors*.” *Id.* § 4 (emphases added). Finally, even Article III—despite being the article devoted to the “judicial” branch—reveals that when it comes to impeachment, the Senate takes on a judicial character, for Article III requires that “[t]he *Trial* of all *Crimes*, except in *Cases of Impeachment*, shall be by Jury.” *Id.* art. III, § 2, cl. 3 (emphases added).

These words employed in the Constitution to describe the Senate’s role—“trial,” “convict,” “judgment,” “case,” “crime,” and “misdemeanor”—are inherently judicial. Any layperson asked whether a constitutionally prescribed “trial” of a “case” in order to reach a “judgment” as to whether a person should be “convicted” of a “crime” or “misdemeanor,” is judicial in character, would invariably answer yes—and rightly so. *Cf. Mazars*, 2019 WL 5089748, at \*32 (Rao, J., dissenting) (“Article I makes clear that in this [impeachment] role, the Senate acts as a court trying impeachable offenses and renders judgment . . . .”); *id.* at \*50 (“Senate trials of impeachment are an exercise of judicial power . . . .”).

Black’s Law Dictionary confirms this intuition. “Trial” means “[a] formal judicial examination of evidence and determination of legal claims in an adversary proceeding.” *Trial*,

BLACK'S LAW DICTIONARY (11th ed. 2019) [hereinafter BLACK'S]. "Convict" means "[t]o prove or officially announce (a criminal defendant) to be guilty of a crime after proceedings in a law court; specif., to find (a person) guilty of a criminal offense upon a criminal trial, a plea of guilty, or a plea of *nolo contendere* (no contest)." *Convict*, BLACK'S. "Judgment" can mean either "mental faculty" or "[a] court's final determination of the rights and obligations of the parties in a case" (or, in English law, "[a]n opinion delivered by a member of the appellate committee of the House of Lords; a Law Lord's judicial opinion"), *Judgment*, BLACK'S—and in the context of other words like "trial" and "convict," the *noscitur a sociis* canon counsels against adopting the first definition, see *Yates v. United States*, 135 S. Ct. 1074, 1085 (2015) (plurality) (explaining that *noscitur a sociis* means that "a word is known by the company it keeps"). "Case" means, as relevant here, "[a] civil or criminal proceeding, action, suit, or controversy at law or in equity" or "[a]n instance, occurrence, or situation"—again, *noscitur a sociis* pushes strongly in favor of relying on the first definition here. Finally, "crime" means "[a]n act that the law makes punishable; the breach of a legal duty treated as the subject-matter of a criminal proceeding," *Crime*, BLACK'S, and "misdemeanor" means "[a] crime that is less serious than a felony and is usu. punishable by fine, penalty, forfeiture, or confinement (usu. for a brief term) in a place other than prison (such as a county jail)." *Misdemeanor*, BLACK'S.<sup>23</sup> As these dictionary definitions demonstrate, at every turn the Constitution uses words that mark the judicial nature of the Senate's power to try impeachments.

Not surprisingly, therefore, the Supreme Court has confirmed, on at least three separate occasions, that the Senate's power to try impeachments is judicial. First, in *Hayburn's Case*, 2

<sup>23</sup> The variation "high crime" similarly means "[a] crime that is very serious, though not necessarily a felony," *Crime*, BLACK'S, and "high misdemeanor" historically meant in English law "[a] crime that ranked just below treason in seriousness," *Misdemeanor*, BLACK'S.



U.S. (2 Dall.) 408 (1792), the Court quoted a letter from “[t]he circuit court for the district of North Carolina (consisting of Iredell, Justice, and Sitgreaves, District Judge)” observing that “no judicial power of any kind appears to be vested [in the legislature], but the important one relative to impeachments.” *Id.* at 410 n.\* (capitalization altered). Second, in *Kilbourn*, the Court explained that “[t]he Senate . . . exercises the judicial power of trying impeachments.” 103 U.S. (13 Otto) at 191. Third, in *Marshall v. Gordon*, 243 U.S. 521 (1917), the Court noted that congressional contempt power can be “transformed into judicial authority” when a “committee contemplat[es] impeachment.” *Id.* at 547.

As the foregoing demonstrates, impeachment trials are judicial in nature, notwithstanding the Founders’ decision to make the Senate the “court of impeachments.” As Chief Justice Rehnquist stated, in considering a Senator’s objection to House Managers’ “referring to the Senate sitting as triers in a trial of the impeachment of the President of the United States,” 145 Cong. Rec. S279 (statement of Sen. Harkin), “the objection . . . is well taken, that the Senate is not simply a jury; it is a court in this case,” *id.* (statement of Chief Justice Rehnquist). “Therefore,” Chief Justice Rehnquist continued, “counsel should refrain from referring to the Senators as jurors.” *Id.* The views of the Senators participating in the last impeachment trial of a sitting President confirm their understanding of their judicial role. *See id.* at S1584 (statement of Sen. Leahy) (noting that when “Senate is the court,” “Senators are not merely serving as petit jurors” but “have a greater role and a greater responsibility in this trial”); *id.* at S1599 (statement of Sen. Stevens) (noting that “an impeachment trial is no ordinary proceeding” and that Senators “sit as judge and jury—rulers on law and triers of fact”); *id.* at S1602 (statement of Sen. Lieberman) (noting that impeachment “is unique in that it is a hybrid of the legislative and the judicial, the political and the legal” (quoting *Senate Rules and Precedents Applicable to*

*Impeachment Trials: Executive Session Hearing Before the S. Comm. on Rules and Administration*, 93rd Cong. 193 (1974) (statement of Sen. Mansfield)); *id.* at S1618 (statement of Sen. Crapo) (“As each Senator took the oath to provide impartial justice, . . . [n]o longer was the Senate a legislative body, it was a court of impeachment. A unique court, to be sure, not identical to traditional civil and criminal courts, but a court nonetheless.”).

This further supports the conclusion that an impeachment trial constitutes “a judicial proceeding” under Rule 6(e)(3)(E)(i).<sup>24</sup>

### **3. Historical Practice Before Enactment of Rule 6(e) Informs Interpretation of that Rule**

Historical practice confirms that, contrary to DOJ’s position, Rule 6(e) does not bar disclosure of grand jury information to Congress. Indeed, grand jury investigations have prompted and informed congressional investigations, and Rule 6(e) was meant to codify this practice.

Several examples illustrate that Congress was afforded access to grand jury material prior to the enactment of Rule 6(e) in 1946. In 1902, a House committee investigated allegations of election fraud in St. Louis, Missouri, based on “a report of a grand jury which sat in St. Louis”

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<sup>24</sup> This analysis disposes of DOJ’s argument that an impeachment trial is not judicial in nature because impeachment proceedings “are political.” DOJ Resp. at 16. While the House “has substantial discretion to define and pursue charges of impeachment,” *Mazars*, 2019 WL 5089748, at \*28 (Rao, J., dissenting), the Constitution nevertheless “limits the scope of impeachable offenses,” *id.* at \*50 (citing U.S. CONST. art. II, § 4); *see id.* at \*32 (“[I]mpeachment addresses a public official’s wrongdoing—treason, bribery, and high crimes or misdemeanors—while problems of general maladministration are left to the political process.”); *see also* 3 Lewis Deschler, *Deschler’s Precedents of the House of Representatives* Ch. 14 App’x [hereinafter Deschler] (“The impeachment of President Andrew Johnson . . . rested on allegations that he had exceeded the power of his office and had failed to respect the prerogatives of Congress.”). Thus Hamilton, for instance, viewed an impeachment trial’s character as judicial even while he viewed impeachment offenses as “of a nature which may with peculiar propriety be denominated POLITICAL.” THE FEDERALIST NO. 65 (emphasis in original). Further, while Members of the U.S. Senate are politically accountable, this accountability merely ensures that Senators properly exercise their judicial power to try impeachments. *See* MICHAEL J. GERHARDT, THE FEDERAL IMPEACHMENT PROCESS: A CONSTITUTIONAL AND HISTORICAL ANALYSIS 110 (1996) (“[M]embers of Congress seeking reelection have a political incentive to avoid any abuse of the impeachment power. . . . [T]he cumbersome nature of the impeachment process makes it difficult for a faction guided by base personal or partisan motives to impeach and remove someone from office.”).

that a city police board in the district apparently had assisted with the election fraud. 2 Asher C. Hinds, *Hinds' Precedents of the House of Representatives* Ch. 40 § 1123 [hereinafter Hinds].<sup>25</sup> Twenty years later, in 1924, the Senate launched an investigation of a Senator who had been indicted by a grand jury. 6 Cannon Ch. 188 § 399. Seeking to ensure that the congressional investigation had access to all information relevant to the allegations, the chairman of the investigating committee “sen[t] a telegram to the presiding judge . . . asking for the minutes of the grand jury proceedings, the names of the witnesses, and the documentary evidence which had gone before the grand jury,” and subsequently received what he requested. *Id.* (indicating that “reply to the telegram” helped the committee compile its list of witnesses, and that “[n]o evidence [was] left out of the [Senate committee] hearings”).

Again, in 1924, in response to a grand jury report from the Northern District of Illinois implicating two unnamed Members of the House in a matter involving the payment of money, the House directed the Attorney General to submit to it “the names of the two [Members] and the nature of the charges made against them.” *Id.* § 402. The Attorney General objected to the request, but only insofar as the request would lead to “two tribunals attempting to act upon the same facts and to hear the same witnesses at the same time,” which would “result in confusion and embarrassment and . . . defeat the ends of justice.” *Id.* Accordingly, the Attorney General

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<sup>25</sup> Even earlier, in 1811, the House received a “copy of a presentment against [territorial judge] Harry Toulmin, . . . made by the grand jury of Baldwin County, specifying charges against the said judge, which” “set in motion” a House “inquiry” “looking to the impeachment” of Judge Toulmin. 3 Hinds Ch. 79 § 2488. Also, in 1921 a Senate committee confronted another allegation of election fraud, and because the committee’s investigation post-dated a grand jury inquiry, the Senate committee had access to “everything before the grand jury which was deemed at all relevant,” because the material had been introduced at trial to HJC. 6 Clarence Cannon, *Cannon’s Precedents of the House of Representatives* Ch. 159 § 74 [hereinafter Cannon]. In these instances, the grand jury information was presumably no longer secret, but Chief Judge Sirica nevertheless deemed the 1811 Judge Toulmin “precedent” to be “persuasive” when he ordered disclosure of the Watergate grand jury report. *See In re Report & Recommendation of June 6, 1972 Grand Jury (In re 1972 Grand Jury Report)*, 370 F. Supp. 1219, 1230 (D.D.C. 1974) (Sirica, C.J.) (“If indeed [Rule 6(e)] merely codifies existing practice, there is convincing precedent to demonstrate that common-law practice permits the disclosure here contemplated.”).

assured the House that if, “acting within its constitutional power (under Article I) to punish its Members for disorderly behavior or to expel such Member, [the House] request[ed] that all the evidence now in the possession of anyone connected with the Department of Justice . . . be turned over to [it],” he would “direct all such evidence, statements, and information obtainable to be immediately turned over to [the House] or to such committee as may be designated by the House.” *Id.*

In 1946, Rule 6(e) was enacted to codify current practice and not “to create new law.” *In re 1972 Grand Jury Report*, 370 F. Supp. at 1229. As the Advisory Committee Notes explain, Rule 6(e) “continues the traditional practice of secrecy on the part of members of the grand jury, *except* when the court permits a disclosure.” FED. R. CRIM. P. 6(e) advisory committee’s note 1 (1944 adoption) (emphasis added); *see also, e.g., Sells Eng’g, Inc.*, 463 U.S. at 425 (noting that Rule 6(e) “codifie[d] the traditional rule of grand jury secrecy”); *Haldeman*, 501 F.2d at 716 (MacKinnon, J. concurring in part and dissenting in part) (observing that Rule 6(e) “is a codification of long-standing decisions that hold to the ‘indispensable secrecy of grand jury proceedings . . . except where there is a compelling necessity’”) (omission in original) (quoting *United States v. Procter & Gamble Co.*, 356 U.S. 677, 683 (1958))).<sup>26</sup> The practice, albeit fairly rare, of sharing grand jury information with Congress at the time of Rule 6(e)’s enactment lends support to the conclusion that this rule, particularly the “judicial proceedings” exception, is correctly construed to include impeachment trials.

This conclusion is bolstered by the fact that these historical examples share a common thread: allegations of election fraud and punishment of Members of Congress. In these

<sup>26</sup> “In the absence of a clear legislative mandate, the Advisory Committee Notes [to the Federal Rules of Criminal Procedure] provide a reliable source of insight into the meaning of a rule, especially when, as here, the rule was enacted precisely as the Advisory Committee proposed.” *United States v. Vonn*, 535 U.S. 55, 64 n.6 (2002).

situations, as with cases of impeachment, Congress is acting more in a judicial rather than a legislative capacity. As the Supreme Court explained in *Kilbourn*, when the House “punish[es] its own members and determin[es] their election,” the House “partake[s]” in some “degree” of the “character” of a “court.” 103 U.S. (13 Otto) at 189; *see also id.* at 190 (“Each House is by the Constitution made the *judge* of the election and qualification of its members. In deciding on these it has an undoubted right to examine witnesses and inspect papers, subject to the usual rights of witnesses in such cases; and it may be that a witness would be subject to like punishment at the hands of the body engaged in *trying* a contested election, for refusing to testify, that he would if the *case* were pending before a *court of judicature*.” (emphases added)). Further, the Supreme Court has stated that the Senate has “certain powers, which are not legislative, but judicial, in character,” and that “[a]mong these is the power to judge of the elections, returns, and qualifications of its own members.” *Barry v. United States ex rel. Cunningham*, 279 U.S. 597, 613 (1929) (citing U.S. CONST. art. I, § 5, cl. 1).

**4. Binding D.C. Circuit Precedent Forecloses Any Conclusion Other Than That an Impeachment Trial is a “Judicial Proceeding”**

The D.C. Circuit has already expressly concluded at least twice—in *Haldeman v. Sirica* and *McKeever v. Barr*—that an impeachment trial is a “judicial proceeding” under Rule 6(e), and these decisions bind this Court. *See also In re Sealed Motion*, 880 F.2d at 1380 n.16 (quoting approvingly a District of Kansas decision noting that *Haldeman* decided “disclosure of grand jury material to [a] House Committee considering impeachment” was made preliminarily to or in connection with a judicial proceeding (quoting *United States v. Tager*, 506 F. Supp. 707, 719 (D. Kan. 1979)).

Forty-five years ago, Chief Judge John Joseph Sirica ordered that the Watergate grand jury’s report on the President’s conduct (“Watergate Roadmap”) be sent to HJC, which was then

engaged in an impeachment-related investigation of President Richard Nixon. *See In re 1972 Grand Jury Report*, 370 F. Supp. 1219. In ordering that disclosure, Chief Judge Sirica confronted the same issue currently pending in this case: Is an impeachment trial a “judicial proceeding” within the meaning of Rule 6(e)? *See id.* at 1227. Chief Judge Sirica answered, emphatically, yes. “[I]t should not be forgotten,” he explained, “that we deal in a matter of the most critical moment to the Nation, an impeachment investigation involving the President of the United States.” *Id.* at 1230. “Certainly Rule 6(e) [could not] be said to mandate” the withholding of such a report from HJC. *Id.*

In *Haldeman v. Sirica*, the D.C. Circuit, sitting en banc, reviewed Chief Judge Sirica’s decision. Two defendants facing charges arising from the same grand jury investigation filed petitions for writs of prohibition or mandamus, asserting that the release of the grand jury’s Watergate Roadmap to HJC would adversely affect their right to a fair trial. *Haldeman*, 501 F.2d at 714–15. Notably, by contrast to its position in the instant case, DOJ filed a memorandum before the D.C. Circuit supporting Chief Judge Sirica’s decision to release the grand jury report to HJC. *Id.* at 714.

The D.C. Circuit agreed with Chief Judge Sirica, DOJ, and the grand jury, and thus allowed the disclosure of grand jury materials to HJC to occur. In so doing, the Circuit rejected the petitioners’ argument that “the discretion ordinarily reposed in a trial court to make such disclosure of grand jury proceedings as he deems in the public interest is, by the terms of Rule 6(e) of the Federal Rules of Criminal Procedure, limited to circumstances incidental to judicial proceedings and that impeachment does not fall into that category.” *Id.* at 715. The Circuit determined that Rule 6(e) presented no obstacle to the disclosure that Chief Judge Sirica had ordered: “Judge Sirica has dealt at length with this contention . . . in his filed opinion. We are in

general agreement with his handling of these matters, and we feel no necessity to expand his discussion.” *Id.*

One judge—Judge MacKinnon—wrote separately in *Haldeman*, agreeing that Rule 6(e)’s judicial proceeding exception authorized the disclosure. *See id.* at 717 (MacKinnon, J., concurring in part and dissenting in part). In fact, he pointed out that “[a]t oral argument the prosecutor represented that this disclosure of the grand jury material to the House Judiciary Committee and eventually possibly to the House and Senate is being made ‘preliminarily to (and) in connection with a judicial proceeding,’ and explained that his “concurrence in the release of the grand jury material ha[d] taken this representation into consideration.” *Id.* (quoting FED. R. CRIM. P. 6(e)). For Judge MacKinnon, the problem with Chief Judge Sirica’s decision was that it had not gone far *enough* in disclosing grand jury material to HJC. *See id.* at 716 (“I would . . . permit the House Judiciary Committee . . . to have access not only to the limited testimony accompanying the report and index but to the entire grand jury proceedings under supervision of the court . . .”).

*Haldeman* has stood the test of time. Earlier this year, in fact, the D.C. Circuit turned back to *Haldeman* in *McKeever*. The primary issue in *McKeever* was whether courts possess inherent authority to disclose grand jury materials, and the Circuit answered that question in the negative. 920 F.3d at 850. The *McKeever* dissent, though, argued that the majority’s decision conflicted with *Haldeman*. On the dissent’s reading, Chief Judge Sirica’s decision had been an exercise of inherent authority, and *Haldeman*, in turn, “affirmed [Chief Judge Sirica’s] understanding that a district court retains discretion to release grand jury materials outside the Rule 6(e) exceptions.” *Id.* at 855 (Srinivasan, J., dissenting).<sup>27</sup> In response, the *McKeever*

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<sup>27</sup> DOJ relies on a footnote from a prior decision of this Court, *see* DOJ Resp. at 14–15 (quoting *In re Application to Unseal Dockets Related to the Independent Counsel’s 1998 Investigation of President Clinton*, 308 F.

majority acknowledged “ambigu[ity]” in *Haldeman*’s reasoning, but the majority opted to “read[] the case to cohere, rather than conflict, with the Supreme Court and D.C. Circuit precedents” that formed the basis for the *McKeever* holding. *Id.* at 847 n.3 (majority opinion). Accordingly, the Circuit “read *Haldeman* as did Judge MacKinnon in his separate opinion concurring in part, as fitting within the Rule 6 exception for ‘judicial proceedings.’” *Id.*

Together, *Haldeman* and *McKeever* hold that an impeachment trial is a “judicial proceeding” under Rule 6(e), and these decisions bind this Court. *See Save Our Cumberland Mountains, Inc. v. Hodel*, 826 F.2d 43, 54 (D.C. Cir. 1987) (Ginsburg, Ruth B., J., concurring) (explaining that D.C. Circuit law is binding “unless and until overturned by the court en banc or by Higher Authority”), *vacated in part on reh’g on other grounds*, 857 F.2d 1516 (D.C. Cir. 1988) (en banc). These decisions alone require ruling in HJC’s favor on the threshold requirement that an impeachment trial is a “judicial proceeding” within the meaning of Rule 6(e). Indeed, in addition to Chief Judge Sirica and the *Haldeman* Court, *every* other court to have considered releasing grand jury material to Congress in connection with an impeachment investigation has authorized such disclosure. *See Order, In Re: Grand Jury Investigation of U.S. Dist. Judge G. Thomas Porteous, Jr.*, No. 2:09-mc-04346-CVSG (E.D. La. Aug. 6, 2009), *summarily aff’d sub nom. In Re Grand Jury Proceeding*, No. 09-30737 (5th Cir. Nov. 12, 2009); *In re Grand Jury Proceedings of Grand Jury No. 81-1 (Miami)*, 669 F. Supp. 1072 (S.D. Fla. 1987), *aff’d sub nom. In re Request for Access to Grand Jury Materials (Hastings)*, 833 F.2d 1438 (11th Cir. 1987).<sup>28</sup>

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Supp. 3d at 318 n.4), for a plain reading of the term “judicial proceeding” as precluding application to a congressional proceeding, but the cited decision read *Haldeman*, like Judge Srinivasan, as “allow[ing] for district court disclosures beyond Rule 6(e)’s exceptions,” *McKeever*, 920 F.3d at 853 (Srinivasan, J., dissenting). The *McKeever* panel majority read *Haldeman* differently to include impeachment proceedings within the “judicial proceeding” exception, and that reading now controls.

<sup>28</sup> DOJ describes as “telling[]” that “rulemakers did not include the possibility that a congressional proceeding could constitute a judicial proceeding, even though” the 1983 amendments to Rule 6(e)(3)(E)(i) “post-dated



DOJ strains to distinguish *Haldeman* and *McKeever* with arguments that are simply unpersuasive. As to *Haldeman*, DOJ focuses on the procedural posture, claiming that “[t]he only issue decided in that case was whether the petitioners had shown that the district court’s order was a ‘clear abuse of discretion or usurpation of judicial power’ from which the petitioners had a clear and indisputable right to relief,” and thus “it is unsurprising that the D.C Circuit was able to deny the petition without engaging in any ‘meaningful analysis of Rule 6(e)’s terms.” DOJ Resp. at 3 (first quoting *Bankers Life & Cas. Co. v. Holland*, 346 U.S. 379, 383 (1952); then quoting *McKeever*, 920 F.3d at 855 (Srinivasan, J., dissenting)); see Hr’g Tr. at 87:24–88:1 (“That page-and-a-half decision talked about the standard of review being the extraordinary writ of mandamus seven times in the opinion . . .”). DOJ misreads *Haldeman*. When discussing Rule 6(e), the mandamus standard is not mentioned, although this standard comes up repeatedly in *other* parts of the opinion. Instead, after explaining that Chief Judge Sirica had “dealt at length” with whether an impeachment trial is a judicial proceeding, the *Haldeman* Court expressed “general agreement with his handling of these matters.” 501 F.2d at 715. This “agreement” was so strong, in fact, that the *Haldeman* majority felt “no necessity to expand [Chief Judge Sirica’s] discussion,” *id.*, “thereby subscrib[ing] to Chief Judge Sirica’s rationale for his disclosure order,” *McKeever*, 920 F.3d at 854 (Srinivasan, J., dissenting) (describing *Haldeman* as having “ratified” Chief Judge Sirica’s decision).<sup>29</sup> Notably, despite the affirming

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*Haldeman*.” DOJ Resp. at 18 n.12. If any inference can be gleaned from leaving the judicial proceeding exception unchanged, however, the correct inference is that Congress “adopted the earlier judicial construction of th[e] phrase,” *Helsinn Healthcare S.A. v. Teva Pharm. USA, Inc.*, 139 S. Ct. 628, 633–34 (2019), namely: that disclosure of grand jury material to Congress for an impeachment investigation was already authorized by this exception.

<sup>29</sup> DOJ characterizes the *Haldeman* majority’s “general agreement” with Chief Judge Sirica’s reasoning as indicating merely that the majority believed any error in Chief Judge Sirica’s analysis did not merit reversal in light of the deferential standard of review, DOJ Resp. at 21 (internal quotation marks omitted) (quoting *Haldeman*, 501 F.2d at 715), but appellate courts are not coy about acknowledging when decisions turn on standards of review, *see, e.g., Pallet Cos. v. NLRB*, 634 Fed. App’x 800, 801 (D.C. Cir. 2015) (*per curiam*) (“Particularly in light of our deferential standard of review, we have no basis to disturb that credibility judgment.”); Judgment, *Giron v. McFadden*, 442 Fed. App’x 574, 575 (D.C. Cir. 2011) (“Particularly in light of the deferential standard of review,

language in *Haldeman*, DOJ has gone so far as to say here that Rule 6(e) did not in fact authorize the disclosure of the grand jury's Watergate Roadmap, which Chief Judge Sirica ordered disclosed to HJC during the impeachment investigation of President Nixon. See Hearing Tr. at 89:21–90:2.

DOJ also discounts *McKeever*'s analysis of *Haldeman* as mere dicta, contending that *McKeever* “did not rule on the meaning of the term ‘judicial proceeding,’” because “it was undisputed that the historical grand jury information at issue fell entirely outside Rule 6(e).” DOJ Resp. at 2. Again, DOJ is wrong. *McKeever*'s interpretation of *Haldeman* was “‘reasoning essential’ to the Court’s holding.” *Apprendi v. New Jersey*, 530 U.S. 466, 488 n.14 (2000) (quoting *id.* at 536 (O’Connor, J., dissenting)). *Haldeman* after all, was an en banc decision. If *Haldeman* had been decided on inherent authority grounds, the *McKeever* panel would have had no choice but to apply that precedent faithfully. The *McKeever* panel recognized as much; indeed, this argument was the sole subject of the dissent. See 920 F.3d at 847 n.3 (“[O]ur dissenting colleague cite[s] *Haldeman* . . . as stepping outside the strict bounds of Rule 6(e).”); *id.* at 853–55 (Srinivasan, J., dissenting). Thus, when the *McKeever* majority “read *Haldeman* as did Judge MacKinnon in his separate opinion concurring in part, as fitting within the Rule 6 exception for ‘judicial proceedings,’” *id.* at 847 n.3 (majority opinion), the majority made that interpretation the binding law in this Circuit.<sup>30</sup>

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we hold that the District Court did not abuse its discretion . . .”), rather than straightforward approval of the decision below. The *Haldeman* Court did the latter.

<sup>30</sup> When queried about reconciling DOJ’s current position with its historical support of providing grand jury materials to Congress for use in impeachment inquiries, DOJ responded that its position has “evolved.” Hr’g Tr. at 85:24. No matter how glibly presented, however, an “evolved” legal position may be estopped. “[W]here a party assumes a certain position in a legal proceeding, and succeeds in maintaining that position, he may not thereafter, simply because his interests have changed, assume a contrary position . . .” *New Hampshire v. Maine*, 532 U.S. 742, 749 (2001) (alteration in original) (internal quotation mark omitted) (quoting *Davis v. Wakelee*, 156 U.S. 680, 689 (1895)). This rule also applies when a party, including a governmental entity, makes “a claim in a legal proceeding that is inconsistent with a claim taken by that party in a previous proceeding.” *Id.* at 749 (internal quotation mark omitted), see also *id.* at 755–56 (applying estoppel to a state government). Here, DOJ has changed

Most troubling, DOJ’s proposed reading of “judicial proceeding” raises constitutional concerns. DOJ policy is that a sitting President cannot be indicted, *OLC Op.*, which policy prompted the Special Counsel to abstain from “mak[ing] a traditional prosecutorial judgment” or otherwise “draw[ing] ultimate conclusions about the President’s conduct.” Mueller Report at II-8. This leaves the House as the only federal body that can act on allegations of presidential misconduct. Yet, under DOJ’s reading of Rule 6(e), the Executive Branch would be empowered to wall off any evidence of presidential misconduct from the House by placing that evidence before a grand jury. Rule 6(e) must not be read to impede the House from exercising its “sole Power of Impeachment.” U.S. CONST. art. I, § 2, cl. 5; *cf. Trump v. Comm. on Oversight and Reform of U.S. House of Representatives*, 380 F. Supp. 3d 76, 95 (D.D.C. 2019) (“It is simply not fathomable that a Constitution that grants Congress the power to remove a President for reasons including criminal behavior would deny Congress the power to investigate him for unlawful conduct . . .”), *aff’d sub nom. Trump v. Mazars USA, LLP*, No. 19-5142, 2019 WL 5089748 (D.C. Cir. 2019).

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its longstanding position regarding whether impeachment trials are “judicial proceedings” and whether *Haldeman* so held. In *Haldeman* itself, the special prosecutor argued for disclosure of the grand jury materials and “represented that this disclosure of the grand jury material to the House Judiciary Committee and eventually possibly to the House and Senate [was] being made ‘preliminarily to (and) in connection with a judicial proceeding.’” *Haldeman*, 501 F.2d at 717 (MacKinnon, J. concurring in part and dissenting in part) (quoting FED. R. CRIM. P. 6(e)). Similarly, when grand jury material was released to HJC during the impeachments of Judges Hastings and Porteous, DOJ raised no objections. *See Hastings*, 833 F.2d at 1441–42 (“[T]he Department of Justice has stated that it has ‘no objection’ to this disclosure to the Committee.”); Order, *In Re: Grand Jury Investigation of U.S. Dist. Judge G. Thomas Porteous, Jr.*, No. 2:09-mc-04346-CVSG, at 2 (“DOJ does not oppose the request.”). Most importantly, in *McKeever* itself DOJ successfully argued—just last year—that the D.C. Circuit has “treated *Haldeman* as standing only for the proposition that an impeachment proceeding may qualify as a ‘judicial proceeding’ for purposes of Rule 6(e),” *see* Brief for Appellee at 37, *McKeever*, 920 F.3d 842 (No. 17-1549), and the D.C. Circuit agreed, *see McKeever*, 920 F.3d at 847 n.3. DOJ’s position has had a speedy evolution indeed. Nevertheless, since DOJ’s reading of *Haldeman* and *McKeever* fails on the merits, further consideration of whether DOJ’s new position is estopped is unnecessary.

As the foregoing analysis shows, a Senate impeachment trial is a “judicial proceeding” within the meaning of Rule 6(e). *Quod erat demonstrandum.*

**B. HJC’s Consideration of Articles of Impeachment is “Preliminarily To” an Impeachment Trial**

Rule 6(e)(3)(E)(i)’s authorization of disclosure “preliminarily to or in connection with a judicial proceeding” is “an affirmative limitation on the availability of court-ordered disclosure of grand jury materials.” *Baggot*, 463 U.S. at 480. Thus, “[i]f the primary purpose of disclosure is not to assist in preparation or conduct of a judicial proceeding, disclosure under ((E))(i) is not permitted.” *Id.* For HJC’s current impeachment-related proceedings to qualify as “preliminarily to . . . a judicial proceeding” and disclosure to be permissible, HJC must be engaged in an investigation that is “related fairly directly to” an “anticipated” impeachment trial. *Id.* As explained in more detail below, the “primary purpose,” *id.*, of HJC’s investigation is to determine whether to recommend articles of impeachment and HJC therefore satisfies this prerequisite for disclosure.

**1. Governing Legal Principles Demonstrate That House Proceedings Can be “Preliminarily To” a Senate Impeachment Trial**

The Supreme Court has addressed the issue of how to apply Rule 6(e)’s “preliminarily to” requirement only once, in *Baggot*. There, the Court addressed two situations—one that met the “preliminarily to” requirement, and one that did not. First, the Supreme Court considered an Internal Revenue Service (“IRS”) “audit of civil tax liability,” the purpose of which was “not to prepare for or conduct litigation, but to assess the amount of tax liability through administrative channels.” *Id.* This failed the “preliminarily to” test because, even “[a]ssuming *arguendo* that this audit will inevitably disclose a deficiency,” “[t]he IRS’s decision is largely self-executing, in the sense that it has independent legal force of its own, without requiring prior validation or enforcement by a court.” *Id.* at 481. By contrast, the Court discussed a second situation where

“the IRS had closed its audit and issued a notice of deficiency, and the taxpayer had clearly expressed its intention to seek redetermination of the deficiency in the Tax Court.” *Id.* at 483. In that second situation, the Supreme Court explained the Seventh Circuit “correctly held . . . that the IRS may seek [Rule 6(e)(3)(E)(i)] disclosure” because “[i]n such a case, the Government’s primary purpose is plainly to use the materials sought to defend the Tax Court litigation, rather than to conduct the administrative inquiry that preceded it.” *Id.* (citing *In re Grand Jury Proceedings (Miller Brewing Co.)*, 687 F.2d 1079 (7th Cir. 1982)).

Between these two situations, a myriad of alternative circumstances is possible. The Supreme Court abstained, however, in footnote 6, from defining precisely “the level of likelihood of litigation that must exist before an administrative action is preliminary to litigation.” *Id.* at 482 n.6. In so doing, the Court acknowledged, in practical terms, how investigations evolve to reach the point of contemplating litigation, stating:

[a]s a general matter, many an investigation, begun to determine *whether* there has been a violation of law, reaches a tentative affirmative conclusion on that question; at that point, the focus of the investigation commonly shifts to ascertaining the scope and details of the violation and building a case in support of any necessary enforcement action.

*Id.* (emphasis in original). Given these practical realities, the Court declined to specify “how firm the agency’s decision to litigate must be before its investigation can be characterized as ‘preliminar[y] to a judicial proceeding,’” *id.* (alteration in original), noting that in the case before it, the Court was confronted with a “clear” case of the “IRS’s proposed use” being to “assess[] taxes rather than to prepare for or to conduct litigation,” *id.* at 483.

The D.C. Circuit similarly has had limited opportunity to consider application of the “preliminarily to” requirement in Rule 6(e). Post-*Baggot*, the D.C. Circuit has made clear that “a party requesting grand jury material must demonstrate that his ‘primary purpose’ for acquiring

the material is preliminary to or in connection with a judicial proceeding.” *In re Sealed Motion*, 880 F.2d at 1379 n.15.<sup>31</sup> As suggested by *Baggot*’s footnote 6, the D.C. Circuit has further indicated that an investigation can be “preliminarily to” a judicial proceeding even though no litigation is actually pending but may only be “possible.” *In re Grand Jury*, 490 F.3d at 986 (holding that grand jury investigation satisfies the “preliminarily to” test as “preliminary to a possible criminal trial”).

DOJ actually makes little effort to dispute that *if* an impeachment trial is a judicial proceeding, the House’s consideration of articles of impeachment is “preliminary to” that proceeding at least in some circumstances. DOJ Resp. at 26, n.15; *see id.* at 24–30. DOJ is wise not to waste much energy on that argument. To the extent the House’s role in the impeachment context is to investigate misconduct by the President and ascertain whether that conduct amounts to an impeachable offense warranting removal from office, the House performs a function somewhat akin to a grand jury. *See In re 1972 Grand Jury Report*, 370 F. Supp. at 1230 (stating that House “acts simply as [a] grand jury.”); 3 Hinds Ch. 72 § 2343 (“The analogy between the function of the House in this matter [referring to 1804 impeachment of Justice Samuel Chase] and that of a grand jury was correct and forcible.”); *id.* Ch. 54 § 1729 (explaining in the context of an 1818 “inquiry into the conduct of clerks in the Executive Departments” “that the House was in the relation of a grand jury, to the nation, and that it was the duty of the House to examine into the conduct of public officers”); *id.* Ch. 79 § 2505 (explaining in 1873 during the impeachment of Judge Delahay that “[t]he Senate is a perpetual court of impeachment, and in

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<sup>31</sup> At least two other circuits have reached the same conclusion. *See Patton v. C.I.R.*, 799 F.2d 166, 172 (5th Cir. 1986) (“In *Baggot*, the Supreme Court observed that Rule [6(e)(3)(E)(i)] ‘contemplates only uses related fairly directly to some identifiable litigation, pending or anticipated,’ as measured by the ‘primary purpose of the disclosure.’” (quoting *Baggot*, 463 U.S. at 480)); *In re Barker*, 741 F.2d 250, 254 (9th Cir. 1984) (“Under *Baggot*, the proper inquiry is whether the primary purpose of the disclosure is to assist in the preparation or conduct of judicial proceedings.”).

presenting these articles we act only as a grand jury”); *Mazars*, 2019 WL 5089748, at \*32 (Rao, J., dissenting) (“In the context of an impeachment inquiry, the House serves as a kind of grand jury, investigating public officials for misconduct.”); *cf. Jefferson’s Manual of Parliamentary Procedure* § 615a (“*Jefferson’s Manual*”) (“[The English House of Commons] have been generally and more justly considered, as is before stated, as the grand jury.”).<sup>32</sup>

Accordingly, just as a grand jury investigation is “preliminary to a possible criminal trial,” *In re Grand Jury*, 490 F.3d at 986, a House impeachment inquiry occurs preliminarily to a possible Senate impeachment trial.

## **2. HJC’s Primary Purpose is to Determine Whether to Recommend Articles of Impeachment**

HJC’s investigation is in fact “preliminarily to” an impeachment trial because its primary purpose is to determine whether to recommend articles of impeachment. Before detailing how the record of House and HJC impeachment activities verifies this primary purpose, DOJ’s and Representative Collins’ proposed criteria for meeting the “preliminarily to” test are considered and, due to their critical shortcomings, rejected.

### **a. DOJ’s Proposed “Preliminarily To” Test is Contrary to *Baggot***

Despite the clarity with which the Supreme Court “decline[d],” *Baggot*, 463 U.S. at 482 n.6, to draw the line when an investigation becomes “preliminarily to . . . a judicial proceeding,” DOJ relies heavily on *Baggot* to contend that HJC’s inquiry fails to cross that line. *See* DOJ Resp. at 24–25. In this vein, DOJ construes *Baggot* as requiring HJC to show that its

<sup>32</sup> The grand jury analogy is not perfect. *See* 145 Cong. Rec. S1586 (1999) (statement of Sen. Leahy) (noting that the analogy between the House and a grand jury is “loose” (quoting *Background and History of Impeachment: Hearing Before the Subcomm. On the Constitution of the HJC*, 105th Cong., XX S. Doc. 106-3 at 228 (statement of Laurence H. Tribe) (1998))). When the House decides whether to impeach, it functions as more than a “mere ‘accuser.’” *Id.* “The House’s constitutional responsibility for charging the President should not be misinterpreted to justify applying only a grand jury’s ‘probable cause’ standard of proof.” *Id.* at S1587. Rather, “House Members who vote to impeach should also be convinced th[e] President has so abused the public trust and so threatens the public that he should be removed.” *Id.*

investigation “must lead to referral of articles of impeachment to the floor of the House,” *id.* at 25, and further that “referral of articles of impeachment ‘must’ lead to a Senate trial,” *id.* Short of those dual showings of action in the House and in the Senate, DOJ posits that HJC’s investigation amounts only to “[a] nonlitigative function,” *id.* at 27 (quoting *Baggot*, 463 U.S. at 483), with only a “tenuous” connection to an impeachment trial, *id.* at 25, which is “entirely hypothetical rather than ‘likely to emerge,’” *id.* at 29 (quoting *Baggot*, 463 U.S. at 480)).

The line-drawing suggested by DOJ—requiring dual showings of the House’s intention to pass articles of impeachment plus a guaranteed Senate impeachment trial—ignores first the Supreme Court’s expressed appreciation that, even in the midst of an investigation, the focus can shift to “building a case” and then qualify as preliminarily to “any necessary enforcement action.” *Baggot*, 463 U.S. at 482 n.6. Nor is DOJ’s requirement of a guarantee of a Senate impeachment trial grounded in *Baggot*. *Baggot* made clear that the requisite judicial proceeding need not be subject to initiation by the party seeking disclosure or pending at the time of the requested grand jury disclosure; the proceeding need only be “anticipated,” *id.* at 480, or “possible,” *In re Grand Jury*, 490 F.3d at 986; *see Baggot*, 463 U.S. at 482–83 (“We also do not hold that . . . a private party who anticipates a suit . . . may never obtain (IE)(i) disclosure of grand jury materials any time the initiative for litigating lies elsewhere. Nor do we hold that such a party must always await the actual commencement of litigation before obtaining disclosure.”). Thus, DOJ’s proposed criteria to demonstrate a “primary purpose” for an impeachment inquiry are rejected.

DOJ also reasons that HJC’s proceedings *here* are not “preliminarily to” impeachment because “the Committee’s actions thus far . . . at most amount to an exploratory inquiry where



impeachment is one of many possible outcomes.” DOJ Resp. at 24.<sup>33</sup> Even if DOJ were correct that only some congressional committee investigations are “preliminarily to” an impeachment trial, *see In re Uranium Grand Jury*, 1979 WL 1661, at \*7 (determining that Rule 6(e) is not satisfied where a House committee “makes a somewhat vague assertion that one of the reasons it needs to examine the transcripts is that it might result in its recommendation to the House Judiciary Committee that impeachment proceedings be initiated”), DOJ is wrong in this instance, as detailed *infra* in Part III.B.2.C.

***b. No House “Impeachment Inquiry” Resolution is Required***

Relatedly, Representative Collins asserts that HJC’s investigation cannot be “preliminarily to” an impeachment trial until the full House passes a resolution authorizing a “formal impeachment proceeding.” Collins Mem. at 1. DOJ equivocates on this proposed bright line test to meet the “preliminarily to” requirement, Hr’g Tr. at 69:10–11, but seems to indicate that the House must go at least that far, *see* DOJ Resp. at 28. Like all bright-line rules, this “House resolution” test is appealing in terms of being easy to apply. Yet, the reasoning supporting this proposed test is fatally flawed. The precedential support cited for the “House resolution” test is cherry-picked and incomplete, and more significantly, this test has no textual support in the U.S. Constitution, the governing rules of the House, or Rule 6(e), as interpreted in binding decisions.

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<sup>33</sup> Some of DOJ’s arguments regarding whether HJC meets the “preliminarily to” test have been mooted due to developments in the possible impeachment of President Trump since the pending application was filed. DOJ, for instance, initially argued that statements by the Speaker and the House Majority Leader showed that “the House Democratic caucus was ‘not even close’ to an ‘impeachment inquiry.’” DOJ Resp. at 27 (quoting *Rep. Nancy Pelosi (D-CA) Continues Resisting Impeachment Inquiry*, CNN (June 11, 2019), <http://transcripts.cnn.com/TRANSCRIPTS/190611/cnr.04.html>). That may have been true in June, but not now, after the Speaker herself announced in September that the full House is “moving forward with an official impeachment inquiry.” *Pelosi Remarks Announcing Impeachment Inquiry* (Sept. 24, 2019), <https://perma.cc/6EQM-34PT> [hereinafter *Pelosi Tr.*].

Turning first to the arguments that stem from precedent, DOJ and Representative Collins state that the “impeachments of Presidents Clinton and Andrew Johnson were investigated in multiple phases with each phase authorized by the House’s adoption of resolutions.” DOJ Resp. at 28; *see also* Collins Mem. at 9–12 (stating that for presidential impeachments, including the likely impeachment of President Nixon had he not resigned, “the full House voted to authorize impeachment proceedings”). Even were this statement accurate, which it is not, the manner in which the House has chosen to conduct impeachment inquiries encompasses more than past Presidents and no sound legal or constitutional reason has been presented to distinguish the House’s exercise of impeachment authority for a President from the exercise of such authority more generally.<sup>34</sup>

Indisputably, the House has initiated impeachment inquiries of federal judges without a House resolution “authorizing” the inquiry. *See, e.g.*, H.R. Rep. No. 101-36, at 13–16 (1988) (describing proceedings with respect to Judge Walter Nixon leading up to HJC’s recommendation of articles of impeachment, with no mention of an authorizing resolution); H. R. Res. 320, 100th Cong. (as passed by the House Dec. 2, 1987) (authorizing taking of affidavits and depositions during the impeachment investigation of Judge Hastings, without any formal House resolution for an “impeachment inquiry”); H.R. Rep. No. 99-688, at 3–7 (1986) (describing proceedings with respect to Judge Harry Claiborne leading up to HJC’s

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<sup>34</sup> DOJ and Representative Collins offer only one argument for distinguishing presidential and judicial impeachments: that the House “has delegated initial investigatory authority for impeachment to the U.S. Judicial Conference through the passage of the Judicial Conduct and Disability Act of 1980.” Collins Mem. at 10 n.12 (citing 28 U.S.C. § 355(b)); *see also* Hr’g Tr. at 83:21–84:23 (DOJ) (raising similar argument). Yet, during the investigations of Judge Porteous and Judge Hastings, HJC did not rely on the Judicial Conference to furnish relevant grand jury material but instead petitioned for and received relevant grand jury material directly from the courts supervising the grand jury investigations of the judges at issue. *See Hastings*, 833 F.2d 1438; Order, *In Re: Grand Jury Investigation of U.S. Dist. Judge G. Thomas Porteous, Jr.*, No. 2:09-mc-04346-CVSG. Moreover, the impeachment investigation of Justice Douglas, which went forward without a House Resolution, occurred in 1970, before the Judicial Conduct and Disability Act of 1980 was adopted. *See Final Report on Associate Justice William O. Douglas, Special Subcomm. on H.R. Res. 920 of the House Comm. on the Judiciary*, 91st Cong. (1970).

recommendation of articles of impeachment, with no mention of an authorizing resolution); 3 Deschler Ch. 14 § 5 (“In the case of Justice Douglas, the Committee on the Judiciary authorized a special subcommittee to investigate the charges, without the adoption by the House of a resolution specifically authorizing an investigation.”). Furthermore, federal judges have been *impeached* by the House without a House resolution “authorizing” an inquiry. *See* H.R. Res. 87, 101st Cong. (1989) (impeaching Judge Nixon); H.R. Res. 499 100th Cong. (1988) (impeaching Judge Hastings); H.R. Res. 461, 99th Cong. (1986) (impeaching Judge Claiborne). In the course of an impeachment proceeding against a federal judge, the House has also obtained grand jury material to assist in an impeachment inquiry that was not “authorized” by a specific House impeachment resolution. *See Hastings*, 833 F.2d at 1439 (releasing Hastings grand jury information to HJC).

Even in cases of presidential impeachment, a House resolution has never, in fact, been required to begin an impeachment inquiry. In the case of President Johnson, a resolution “authoriz[ing]” HJC “to inquire into the official conduct of Andrew Johnson” was passed *after* HJC “was already considering the subject.” 3 Hinds Ch. 75 § 2400. In the case of President Nixon, HJC started its investigation well before the House passed a resolution authorizing an impeachment inquiry. *See* 3 Deschler Ch. 14, § 15 (Parliamentarian’s Note) (noting that even before “the adoption of” the Nixon impeachment-inquiry resolution, “House Resolution 803,” HJC “had been conducting an investigation into the charges of impeachment against President Nixon,” such as by “hir[ing] special counsel for the impeachment inquiry”).<sup>35</sup> In the case of President Clinton, the D.C. Circuit authorized the disclosure of grand jury materials to Congress

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<sup>35</sup> DOJ and Representative Collins both agree that the events leading up to President Nixon’s resignation are relevant historical precedent for the purpose of the current inquiry, even though President Nixon left office before he could be impeached. *See* Hr’g Tr. at 71:13–19 (DOJ); Collins Mem. at 9–10.

on July 7, 1998, *see* HJC App., Ex. Q, Order, *In re Madison Guaranty Savings & Loan Assoc.*, Div. No. 94-1 (D.C. Cir. Spec. Div. July 7, 1998) (per curiam), ECF No. 1-18, even though no impeachment resolution had yet been adopted and was not adopted by the House until four months later, *see* H. R. Res. 525, 105th Cong. (1998) (authorizing, on October 8, 1998, HJC to “investigate fully and completely whether sufficient grounds exist for the House of Representatives to exercise its constitutional power to impeach” President Clinton).<sup>36</sup>

While close scrutiny of the historical record undercuts that justification for the “House resolution” test proposed by Representative Collins, the more significant flaw with this proposal is as follows: while this test may address political legitimacy concerns, which are best resolved in the political arena, no governing law requires this test—not the Constitution, not House Rules, and not Rule 6(e), and so imposing this test would be an impermissible intrusion on the House’s constitutional authority both to “determine the rules of its proceedings” under the Rulemaking Clause, U.S. CONST., Art. I, § 5, cl. 2, and to exercise “the sole power of Impeachment” under the Impeachment Clause, *id.* § 2, cl. 5. This Court “ha[s] no authority to impose,” by judicial order, a particular structure on House proceedings. *Mazars*, 2019 WL 5089748, at \*24. In *Mazars*, for example, the D.C. Circuit rejected the position that enforcement of a House Oversight and Reform Committee subpoena of a third-party’s records related to President Trump and his business associates was inappropriate until the “full House” granted the Committee “express authority to subpoena the President for his personal financial records.” *Id.* at \*24 (internal quotation marks omitted). Citing the Constitution’s Rulemaking Clause, the D.C.

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<sup>36</sup> DOJ dismisses the example of the House’s impeachment of President Clinton, contending that the then-operative Independent Counsel Act provided independent authorization for disclosure of grand jury material to Congress. DOJ Resp. at 22–23. Putting aside whether DOJ correctly reads the now-lapsed independent counsel statute, this contention only confirms that full House impeachment resolutions have not been a necessary predicate for HJC to commence an impeachment investigation and obtain access to grand jury material to assist in that investigation.

Circuit explained that “unless and until Congress adopts a rule that offends the Constitution, the courts get no vote in how each chamber chooses to run its internal affairs.” *Id.*; *see also Barker v. Conroy*, 921 F.3d 1118, 1130 (D.C. Cir. 2019) (noting that “‘making the Rules . . . [is] a power that the Rulemaking Clause reserves to each House alone’” (quoting *United States v. Rostenkowski*, 59 F.3d 1291, 1306–07 (D.C. Cir. 1995))). This Court likewise lacks authority to require the House to pass a resolution tasking a committee with conducting an impeachment inquiry.

Representative Collins shifts gears with an alternative challenge to HJC’s petition, contending that, even if no House rule prohibits HJC from beginning an impeachment investigation without a House resolution, the House has not “delegate[d] such authority to the Committee,” and HJC has no powers except those expressly granted to it. Collins Mem. at 6. Pressing this point, he argues that the House has thus far delegated only “legislative and oversight authority to the Committee,” not “impeachment authority,” *id.* at 5, and, further, that the Speaker of the House may not “unilaterally delegate to the Committee the House’s impeachment power,” *id.* at 13–14. These contentions are, at worst, red herrings and, at best, incorrect.

At the outset, the distinction drawn by Representative Collins between Congress’s “legislative and oversight authority” and Congress’s “impeachment authority,” is not so rigid as he makes out. Nothing “in the Constitution or case law . . . compels Congress to abandon its legislative role at the first scent of potential illegality and confine itself exclusively to the impeachment process.” *Mazars*, 2019 WL 5089748, at \*18.<sup>37</sup> In any event, the House has

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<sup>37</sup> The distinction between Congress’ legislative and impeachment authority, even if otherwise sound, has questionable relevance to the Rule 6(e) analysis. The “preliminarily to” requirement depends on the “primary purpose” disclosure would serve, not the source of authority Congress acts under.

sufficiently delegated to HJC the authority to conduct an impeachment inquiry in at least two ways. *Jefferson's Manual*—which under House Rule XXI “govern[s] the House in all cases to which [it is] applicable and in which [it is] not inconsistent with the Rules and orders of the House”—provides that impeachment can be “set[ ] . . . in motion” by “a resolution introduced by a Member and referred to a committee” as well as “facts developed and reported by an investigating committee of the House.” *Jefferson's Manual* § 603.<sup>38</sup> Additionally, the full House has authorized, in Resolution 430, HJC to bring this suit and simultaneously granted HJC “any and all necessary authority under Article I of the Constitution.” H.R. Res. 430, 116th Cong. (as passed by House June 11, 2019) (emphases added).<sup>39</sup>

As to Representative Collins’ last point regarding the Speaker’s statement, HJC never claims that the Speaker possesses the power to authorize an impeachment inquiry solely by saying so. Rather, HJC points to the Speaker’s statement as evidence of the primary purpose of HJC’s investigation. The Speaker’s statement is, in fact, highly probative evidence on that score.<sup>40</sup> Even DOJ does not dispute that statements made by the House Speaker may be

<sup>38</sup> *Jefferson's Manual* is one of the “fundamental source material[s] for parliamentary procedure used in the House of Representatives.” Thomas J. Wickham, *Constitution, Jefferson's Manual, and Rules of the House Representatives of the United States One Hundred Fifteenth Congress* at v (2017).

<sup>39</sup> Challenge to a specific committee action on grounds that HJC’s authority was in doubt would be unreviewable. “[U]nless and until Congress adopts a rule that offends the Constitution,” judicial review of House rules is inappropriate. *Mazars*, 2019 WL 5089748, at \*24. Here, neither DOJ nor Representative Collins complains that HJC’s actions or authorizing House rules suffer from a “constitutional infirmity.” *Vander Jagt v. O’Neill*, 699 F.2d 1166, 1173 (D.C. Cir. 1983). That distinguishes this case from *Tobin v. United States*, 306 F.2d 270 (D.C. Cir. 1962), which Representative Collins heavily relies on; there the House resolution at issue raised “serious and difficult” constitutional issues. *Id.* at 275; see also *Mazars*, 2019 WL 5089748, at \*24 (similarly distinguishing *Tobin*).

<sup>40</sup> Citing Speaker Pelosi’s September 2019 statement, Representative Collins also argues that HJC’s investigation is not “preliminarily to” a Senate impeachment trial because the “impeachment inquiry” announced by the Speaker will “be handled by three other committees and focus ‘narrowly on the Ukraine matter’” rather than on allegations in the Mueller Report. Collins Mem. at 14 (quoting Rachael Blade and Mike DeBonis, *Democrats Count on Schiff to Deliver Focused Impeachment Inquiry of Trump*, WASH. POST (Sept. 29, 2019), [https://www.washingtonpost.com/politics/pelosi-turns-to-schiff-to-lead-house-democrats-impeachment-inquiry-of-trump/2019/09/28/ed6c4608-e149-11e9-8dc8-498eabc129a0\\_story.html](https://www.washingtonpost.com/politics/pelosi-turns-to-schiff-to-lead-house-democrats-impeachment-inquiry-of-trump/2019/09/28/ed6c4608-e149-11e9-8dc8-498eabc129a0_story.html)). This argument is misguided, first, because Speaker Pelosi made clear that “six [c]ommittees”—including HJC—would “proceed with their investigations under that umbrella of impeachment inquiry,” Pelosi Tr., and thus HJC plainly remains engaged. Second, the current focus on President Trump’s interactions with the foreign leader of Ukraine is pertinent, not to the “preliminarily to”

probative in evaluating the “primary purpose” of HJC inquiries, as DOJ too has relied on the Speaker’s statements in its arguments about satisfaction of the “preliminarily to” requirement. *See* DOJ Resp. at 3, 26–27.

*c. The Record of House and HJC Impeachment Activities Here Meets the “Preliminarily To” Test*

Having dispatched DOJ’s and Representative Collins’ unsupported criteria for meeting the “preliminarily to” test, examination of the record before the Court is essential to assess whether HJC has satisfied the actual inquiry: *Baggot*’s “primary purpose” test. As HJC explains, the purpose of HJC’s investigation and the requested disclosure is “to determine whether to recommend articles of impeachment,” HJC App. at 3, and the record evidence supports that claim. Determining whether to recommend articles of impeachment may not have been the primary purpose of HJC’s investigation initially, but that is of no moment. “Congress’s decision whether, and if so how,” to act “will necessarily depend on what information it discovers in the course of an investigation, and its preferred path forward may shift as members educate themselves on the relevant facts and circumstances.” *Mazars*, 2019 WL 5089748, at \*13. While HJC is “pursuing a legitimate legislative objective [it] may . . . choose to move from legislative investigation to impeachment,” *id.* at \*18, and that is precisely what occurred here, as a review of the record evidence in chronological order demonstrates.

The beginnings of HJC’s current investigation trace to January 3, 2019, when a resolution calling for President Trump’s impeachment was introduced, *see* H.R. Res. 13, 116th Cong. (2019), and, in keeping with standard practice, then referred to HJC for consideration, 165 Cong. Rec. H201, H211 (daily ed. Jan. 3, 2019) (referring H.R. Res. 13 to HJC). This resolution

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requirement, but to the issue of whether HJC has shown a “particularized need” for the redacted grand jury materials in the Mueller Report. As to the “preliminarily to” requirement, the Ukrainian developments simply underscore that the investigations currently proceeding in the House may lead to a Senate impeachment trial.

remains under review before HJC. *See* All Actions H.Res.13 — 116th Congress (2019-2020), <https://www.congress.gov/bill/116th-congress/house-resolution/13/all-actions>.

HJC turned to the subject of impeachment in earnest after the release of the Mueller Report. On June 6, 2019, HJC issued a report that accompanied a resolution recommending that AG Barr be held in contempt of Congress for failing to comply with a subpoena for production of the unredacted Mueller Report and underlying materials. *See* H.R. Rep. No. 116-105 (2019) (“Contempt Report”). That Contempt Report explained that among the “purposes” of HJC’s “investigation into the alleged obstruction of justice, public corruption, and other abuses of power by President Donald Trump” was to “consider[] whether any of the conduct described in the Special Counsel’s Report warrants the Committee in taking any further steps under Congress’ Article I powers,” “includ[ing] whether to approve articles of impeachment with respect to the President.” *Id.* at 13.

Significantly, on June 11, 2019, the full House voted to ensure HJC possessed the authority needed to continue this investigation. The House approved, by a vote of 229 to 191, a resolution allowing HJC “to petition for disclosure of information” related to the Mueller Report—*i.e.*, to bring the instant action. H.R. Res. 430, 116th Cong. (2019). House Resolution 430 expressly authorized HJC to bring a petition pursuant to Rule 6(e)’s “‘preliminarily to . . . a judicial proceeding’” exception, *id.* (omission in original) (quoting FED. R. CRIM. P. 6(e)(3)(E)(i)), and, as noted above, granted HJC, in connection with that authorization, “*any and all* necessary authority under Article I of the Constitution,” *id.* (emphases added).

By July, HJC’s investigation had become focused on the impeachment power, as expressed in a July 11, 2019 memorandum issued by HJC Chairman Nadler explaining that HJC is “determin[ing] whether the Committee should recommend articles of impeachment against the



President or any other Article I remedies, and if so, in what form.” HJC App., Ex. A, Jerrold Nadler, Chairman, H. Comm. on the Judiciary, *Memorandum Re: Hearing on “Lessons from the Mueller Report, Part III: ‘Constitutional Processes for Addressing Presidential Misconduct’”* at 3 (July 11, 2019), ECF No. 1-2. At a hearing held the next day, Chairman Nadler further stated that HJC’s “responsibility” was “to determine whether to recommend articles of impeachment against the President,” noting that “articles of impeachment are under consideration as part of the Committee’s investigation.” HJC App., Ex. T, *Lessons from the Mueller Report, Part III: ‘Constitutional Processes for Addressing Presidential Misconduct’: Hearing Before the H. Comm. on the Judiciary* at 4 (July 12, 2019), ECF No. 1-21 (capitalization altered). On September 12, 2019, HJC adopted a resolution confirming that the purpose of its investigation is “to determine whether to recommend articles of impeachment with respect to President Donald J. Trump.” DOJ Resp., Ex. 11, Comm. on the Judiciary, Resolution for Investigative Procedures at 4 (Sept. 12, 2019), ECF No. 20-11.

Finally, on September 24, 2019, House Speaker Nancy Pelosi announced that the full House is “moving forward with an official impeachment inquiry.” Pelosi Tr. “For the past several months,” Speaker Pelosi explained, the House had been “investigating in our Committees and litigating in the courts so the House can gather all of the relevant facts and consider whether to exercise its full Article I powers, including a constitutional power of the utmost gravity, approval of articles of impeachment.” *Id.* Thus, Speaker Pelosi “direct[ed]” the “six Committees”—including HJC—to “proceed with their investigations under that umbrella of impeachment inquiry” going forward. *Id.*

These indicia of HJC’s purpose sufficiently demonstrate that the primary purpose of the investigation for which the grand jury disclosure is sought is to determine whether to recommend

articles of impeachment against President Trump. *Cf. Mazars*, 2019 WL 5089748, at \*10–11 (looking to statements a committee chairman made in a memorandum to his colleagues to assess the purpose of a congressional investigation); *see Jefferson’s Manual* § 603 at 319 (stating that “[i]n the House various events have been credited with setting an impeachment in motion,” such as “charges made on the floor on the responsibility of a Member or Delegate,” “a resolution introduced by a Member and referred to a committee,” “charges transmitted . . . from a grand jury,” and “facts developed and reported by an investigating committee of the House”); 3 Deschler Ch. 14 § 5 (“In the majority of cases, impeachment proceedings in the House have been initiated either by introducing resolutions of impeachment by placing them in the hopper, or by offering charges on the floor of the House under a question of constitutional privilege. Where such resolutions have directly impeached federal civil officers, they have been conferred by the Speaker to the Committee on the Judiciary, which has jurisdiction over federal judges and presidential succession . . . .”); Charles W. Johnson et al., *House Practice: A Guide to the Rules, Precedents, and Practice of the House*, Ch. 27 § 6, at 602 (2017) (confirming same).

Formulating a firm line on when, in the impeachment context, activities within the House meet the “preliminarily to” requirement to qualify for disclosure of grand jury material need not be drawn here, since this case is clear. Collectively, the record shows an evolving and deliberate investigation by HJC that has become focused on determining whether to impeach the President and thus has crossed the “preliminarily to” threshold.

**3. Requiring More Than the Current Showing by HJC, as DOJ Demands, Would Improperly Intrude on Article I Powers Granted to House of Representatives**

DOJ urges this Court to second-guess a co-equal branch of government and find that the steps taken by the House fall short of showing a primary purpose of undertaking an impeachment inquiry that would meet the “preliminarily to” requirement in Rule 6(e)(3)(E)(i). In so doing,

DOJ again invites an impermissible intrusion on the House's constitutional authority under the Rulemaking and Impeachment Clauses. These Article I grants of exclusive authority require a degree of deference to the House's position that the House and HJC are currently engaged in an investigation with the primary purpose of assessing whether to adopt articles of impeachment. *See Vander Jagt*, 699 F.2d at 1173 (concluding that the Rulemaking Clause "means that neither we nor the Executive Branch may tell Congress what rules it must adopt"); *Mazars*, 2019 WL 5089748, at \*24 ("[U]nless and until Congress adopts a rule that offends the Constitution, the courts get no vote in how each chamber chooses to run its internal affairs."); *Nixon v. United States*, 506 U.S. 224, 238 (1993) (concluding that judicial review of Senate impeachment trial procedures would be inconsistent with the text and structure of the Constitution).

At the same time, HJC has argued that complete and absolute deference is due to the House and HJC not only in structuring but also in articulating the purpose of the current inquiry. Hearing Tr. at 25:23–26:4; *see also* HJC App. at 30–31. HJC's position goes too far, at least as to judicial review of HJC's "primary purpose." Rule 6(e), and the Supreme Court's cases interpreting it, grant this Court authority, and indeed a responsibility, to verify that HJC seeks disclosure of the grand jury material for use in an inquiry whose core aim is assessing possible articles of impeachment. The preceding review of the factual record and finding about HJC's "primary purpose" fulfill that responsibility of judicial review without intruding on the House's ability to write its own rules or to exercise its power of impeachment. *See Morgan v. United States*, 801 F.2d 445, 449 (D.C. Cir. 1986) (Scalia, J.) (noting that "no absolute prohibition of judicial review" of House Rules exists).<sup>41</sup>

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<sup>41</sup> Although neither the Supreme Court nor the D.C. Circuit has considered the justiciability of, or the degree of deference due in, cases implicating the House's "sole power of Impeachment," U.S. CONST., Art. I, § 2, cl. 5, verifying that the factual record supports HJC's assertion about its "primary purpose" does not require direct judicial review of any actions by the House taken pursuant to the impeachment power.

Additionally, DOJ's position that no disclosure of grand jury information to a House impeachment inquiry is permitted under Rule 6(e), *see* DOJ Resp. at 13–19, would completely bar access to relevant grand jury materials. Such a blanket bar would have concrete repercussions on limiting the House's access to investigative materials and thereby impermissibly impede the House's ability to exercise its constitutional power of impeachment. The House, through the committees tasked with conducting an impeachment investigation, must develop a factual record supporting at least a good-faith basis for believing that the President has engaged in conduct meeting the constitutional requirement of a "high crime" or "misdemeanor" before voting in favor of articles of impeachment targeting such conduct. *Cf. Kaley v. United States*, 571 U.S. 320, 328 (2014) (noting that to issue an indictment, a grand jury must find probable cause to believe a defendant committed the charged offense); Dep't of Justice, *Justice Manual* § 9-27.220 (explaining that before commencing or recommending federal prosecution against an individual, a federal prosecutor must "believe[] that the person's conduct constitutes a federal offense, and that the admissible evidence will probably be sufficient to obtain and sustain a conviction"). Indeed, even a lawyer in a civil proceeding must "certif[y] that to the best of the [lawyer's] knowledge, information, and belief, formed after an inquiry reasonable under the circumstances," the "factual contentions" presented to the court "have evidentiary support." FED. R. CIV. P. 11(b).

Blocking access to evidence collected by a grand jury relevant to an impeachment inquiry, as DOJ urges, undermines the House's ability to carry out its constitutional responsibility with due diligence. On the other hand, interpreting Rule 6(e) in a manner compatible with this constitutional responsibility avoids this conundrum, and ensures HJC has

access to the pertinent information *before* making an impeachment recommendation to the full House.

#### 4. DOJ's Remaining Objections are Unpersuasive

DOJ's remaining arguments are easily dispatched. DOJ asserts that "the full House in the current Congress has already voted overwhelmingly *against* impeachment," DOJ Resp. at 25 (emphasis added), because House Resolution 498, which called for an impeachment inquiry based on "President Trump's racist comments," H.R. Res. 498, 116th Cong. (2019), was "defeated 332-95," DOJ Resp. at 25. Yet, the fact that House Resolution 498 was tabled, *see* All Actions, H.Res.498 — 116th Congress (2019-2020), <https://www.congress.gov/bill/116th-congress/house-resolution/498/all-actions?actionsSearchResultViewType=compact>, has little relevance here since that resolution has nothing to do with the concerns of the current impeachment inquiry, which is focused on the President's possible criminal conduct described in the Mueller Report and in connection with Ukraine.

Next, DOJ claims that HJC's "primary purpose" is to decide among different possible actions to "pursue in response to the Mueller Report," such as "various legislative proposals, Constitutional amendments, and a Congressional referral to the Department of Justice for prosecution or civil enforcement." DOJ Resp. at 26. DOJ is correct that deciding whether to recommend articles of impeachment may not always have been—and still may not be—the only purpose of HJC's current investigation, but that is to be expected. "As the Supreme Court has explained, '[t]he very nature of the investigative function—like any research—is that it takes the searchers up some "blind alleys" and into nonproductive enterprises.'" *Mazars*, 2019 WL 5089748, at \*21 (alteration in original) (quoting *Eastland v. U.S. Servicemen's Fund*, 421 U.S. 491, 509 (1975)). Here, HJC began, appropriately, with a broad inquiry, but focused on impeachment as the investigation progressed. This new focus does not necessitate that HJC

forgo its other aims. *See Mazars*, 2019 WL 5089748, at \*18. HJC’s investigation to determine whether to impeach President Nixon, for example, contributed not only to President Nixon’s resignation, but also to significant legislative reforms. *See, e.g., Tax Analysts v. IRS*, 117 F.3d 607, 611 (D.C. Cir. 1997) (Internal Revenue Code provision restricting public release of individual tax returns); *United States v. Rose*, 28 F.3d 181, 183 (D.C. Cir. 1994) (Ethics in Government Act of 1978).

Finally, DOJ cautions that if introduction of articles of impeachment by a single Member of Congress were sufficient to render an HJC investigation “preliminarily to” an impeachment trial, grand jury information would become “politicized.” Hr’g Tr. at 70:6; *see also* DOJ Resp. at 28. That hypothetical situation is far removed from this case, where HJC is months into its investigation and both the Speaker of the House and HJC have confirmed that the current investigation’s purpose is to determine whether to recommend articles of impeachment against President Trump. Besides, this “slippery slope” may be less precipitous than DOJ suggests, for a congressional committee seeking to obtain grand jury information based solely on a single Member’s introduction of articles of impeachment would have an uphill battle demonstrating a “particularized need” for the materials.

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In sum, HJC has presented sufficient evidence that its investigation has the primary purpose of determining whether to recommend articles impeachment and thus has satisfied Rule 6(e)’s “preliminarily to . . . a judicial proceeding” requirement.

### **C. HJC Has a “Particularized Need” for the Requested Materials**

Finally, to meet the last “independent prerequisite[] to ([E])(i) disclosure,” HJC needs to “show particularized need for access to” the requested grand jury materials, *Baggot*, 463 U.S. at

480; *In re Sealed Case*, 801 F.2d 1379, 1381 (D.C. Cir. 1986). As stated earlier, those materials fall into three categories. First, HJC asks for “all portions of the Mueller Report that were redacted pursuant to Rule 6(e).” HJC App. at 25. Second, HJC wants the material underlying those redactions—that is, the portions of the grand jury “transcripts or exhibits” cited in the Report. *Id.* Third, HJC requests “transcripts of any underlying grand jury testimony and any grand jury exhibits that relate directly to” President Trump’s knowledge of several topics as well as to actions taken by former White House counsel Donald F. McGahn II during his service to first-candidate and then-President Trump. *Id.*<sup>42</sup>

The “particularized need” standard requires a showing that (1) the requested materials are “needed to avoid a possible injustice in another judicial proceeding; (2) the need for disclosure is greater than the need for continued secrecy; and (3) the request is structured to cover only material so needed.” *In re Sealed Case*, 801 F.2d at 1381 (internal quotation marks omitted); *see also Baggot*, 463 U.S. at 480 n.4 (citing *Douglas Oil*, 441 U.S. at 222). The balancing aspect of the test means that “as the considerations justifying secrecy become less relevant, a party asserting a need for grand jury [material] will have a lesser burden.” *Douglas Oil*, 441 U.S. at 223.

Ultimately, determinations of “particularized need” are committed to the “considered discretion of the district court.” *Douglas Oil*, 441 U.S. at 228; *see also In re Sealed Case*, 801 F.2d at 1381 (recognizing the “substantial discretion of the district court”). That discretion “to

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<sup>42</sup> To repeat, the topics in the third category of requested grand jury materials are: (A) “President Trump’s knowledge of efforts by Russia to interfere in the 2016 U.S. Presidential election;” (B) his “knowledge of any direct or indirect links or contacts between individuals associated with his Presidential campaign and Russia, including with respect to Russia’s election interference efforts;” (C) his “knowledge of any potential criminal acts by him or any members of his administration, his campaign, his personal associates, or anyone associated with his administration or campaign;” and (D) “actions taken by McGahn during the campaign, the transition, or McGahn’s period of service as White House Counsel.” HJC App. at 25. Material is related directly to President Trump’s knowledge, HJC says, if it reflects “what witnesses saw or heard President Trump do.” Hr’g Tr. at 7:5–7:6.

determine the proper response to requests for disclosure,” *Douglas Oil*, 441 U.S. at 228, extends to structuring the “time,” “manner,” and “other conditions” of any release of material, FED. R. CRIM. P. 6(e)(3)(E); *see also Douglas Oil*, 441 U.S. at 223 (acknowledging the possibility of “protective limitations” on the release of the material). HJC has proposed that the Court use this authority to “direct a focused and staged disclosure,” starting with categories one and two of the requested grand jury information and, following HJC’s review of that material, moving to category three. HJC Reply at 25; *see also Hr’g Tr.* at 35:1–35:11.

Adopting that proposal, to which DOJ has not objected, the Court finds that HJC has demonstrated a “particularized need” for the material in the first and second categories. DOJ must promptly produce to HJC the grand jury material redacted from and cited in the Mueller Report. HJC may file further requests articulating its “particularized need” for any grand jury material in category three.

### **1. Disclosure is Necessary to Avoid Possible Injustice**

HJC asserts that it needs the material to conduct a fair impeachment investigation based on all relevant facts. *See* HJC App. at 34. In authorizing disclosure of grand jury material for use in impeachment investigations of judges and of a President, courts have found this “interest in conducting a full and fair impeachment inquiry” to be sufficiently particularized. *Hastings*, 833 F.2d at 1442; Order, *In Re: Grand Jury Investigation of U.S. Dist. Judge G. Thomas Porteous, Jr.*, No. 2:09-mc-04346-CVSG, at 3; *In re 1972 Grand Jury Report*, 370 F. Supp. at 1230 (applying the predecessor to the “particularized need” standard). Chief Judge Sirica, in releasing the Watergate Roadmap to HJC, remarked that “[i]t would be difficult to conceive of a



more compelling need than that of this country for an unswervingly fair inquiry based on all the pertinent information.” *In re 1972 Grand Jury Report*, 370 F. Supp. at 1230.<sup>43</sup>

Impeachment based on anything less than all relevant evidence would compromise the public’s faith in the process. *See Hastings*, 833 F.2d at 1445 (“Public confidence in a procedure as political and public as impeachment is an important consideration justifying disclosure.”). Further, as already discussed, denying HJC evidence relevant to an impeachment inquiry could pose constitutional problems. *See supra* Parts III.B.3; *see also Hastings*, 833 F.2d at 1445 (concluding that denying the House the full record available, including the grand jury material, for use in impeachment would “clearly violate separation of powers principles”). These principles may, on their own, justify disclosure. *See Hastings*, 833 F.2d at 1442; Order, *In Re: Grand Jury Investigation of U.S. Dist. Judge G. Thomas Porteous, Jr.*, No. 2:09-mc-04346-CVSG, at 3; *In re 1972 Grand Jury Report*, 370 F. Supp. at 1230. Features of the House’s investigation and of the Mueller Report make HJC’s need for the grand jury materials referenced and cited in the Report especially particularized and compelling.

First, several “portions of the Mueller Report” are of particular interest to HJC, including the Trump Tower Meeting, Carter Page’s trip to Moscow, Paul Manafort’s sharing of internal polling data with a Russian business associate, and the Seychelles meeting, as well as information about what candidate Trump knew in advance about Wikileaks’ dissemination in July 2016 of stolen emails from democratic political organizations and the Clinton Campaign.

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<sup>43</sup> At the time, DOJ similarly recognized that “[t]he ‘need’ for the House to be able to make its profoundly important judgment on the basis of all available information is as compelling as any that could be conceived.” HJC App., Ex. P, Mem. for the U.S. on behalf of the Grand Jury, *In re 1972 Grand Jury Report*, 370 F. Supp. 1219 (Mar. 5, 1974), ECF No. 1-17. DOJ now attempts to distinguish *In re 1972 Grand Jury Report* on the ground that the grand jury itself initiated the request to disclose the Watergate Roadmap to Congress, DOJ Resp. at 35, but Rule 6(e) does not give different treatment to disclosures by grand jurors, *see* FED. R. CRIM. P. 6(e)(2)(B)(i), and so, unsurprisingly, the grand jury’s involvement featured not at all in the relevant portions of Chief Judge Sirica’s analysis, *see In re 1972 Grand Jury Report*, 370 F. Supp. at 1229–31.

See HJC App. at 35–36. Rule 6(e) material was redacted from the descriptions of each of these events in the Mueller Report and access to this redacted information is necessary to complete the full story for HJC. In some instances, without access to the redacted material, HJC cannot understand what the Special Counsel already found about key events. For example, what appears to be a citation to grand jury material supports the investigative finding that then-candidate Trump asked Manafort for continued updates about WikiLeaks’s plans to release hacked documents. See Mueller Report at II-18 n.27.

Second, numerous individuals have already testified before or given interviews with HJC or other House committees about the events noted above that are central to the impeachment inquiry and also described in the Mueller Report.<sup>44</sup> These witnesses include Donald Trump, Jr., Carter Page, Erik Prince, Steve Bannon, and Corey Lewandowski.<sup>45</sup> Of concern is that another witness who spoke to both the Special Counsel and to Congress, Michael Cohen, has already been convicted of making false statements to Congress, Mueller Report at I-195–96, and two other individuals have been convicted of making false statements to the FBI in connection with the Special Counsel’s investigation, see *id.* at I-192 (Papadopoulos); *id.* at I-194 (Flynn). The record thus suggests that the grand jury material referenced or cited in the Mueller Report may be helpful in shedding light on inconsistencies or even falsities in the testimony of witnesses called in the House’s impeachment inquiry. See HJC App. at 37 (seeking the materials “to

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<sup>44</sup> In particular, the activities of the House Permanent Select Committee on Intelligence (“HPSCI”) are relevant here because HJC’s protocols for handling the grand jury information, discussed *infra*, state that the information will be shared with Members of HPSCI. See HJC App., Ex. X, Jerrold Nadler, Chairman, HJC, [HJC] Procedures for Handling Grand Jury Information (“GJ Handling Protocols”) ¶ 11, ECF No. 1-25. With HJC, HPSCI is one of the six committees conducting the impeachment inquiry. See Pelosi Tr.

<sup>45</sup> See DOJ Resp. at 34 & n.23 (noting testimony by Trump Jr., Page, Bannon, and Prince and citing Minority Views, HPSCI Report, [https://intelligence.house.gov/uploadedfiles/20180411\\_-\\_final\\_-\\_hpsci\\_minority\\_views\\_on\\_majority\\_report.pdf](https://intelligence.house.gov/uploadedfiles/20180411_-_final_-_hpsci_minority_views_on_majority_report.pdf)); Thursday: House Judiciary to Consider Procedures Regarding Whether to Recommend Impeachment, COMM. ON THE JUDICIARY (Sept. 9, 2019), <https://judiciary.house.gov/news/press-releases/thursday-house-judiciary-consider-procedures-regarding-whether-recommend> (Lewandowski).

refresh or challenge th[e] testimony” of witnesses before Congress and “to corroborate [witness] veracity”); *see also* Hr’g Tr. at 40:5–41:17 (HJC) (confirming that the grand jury material would be used to impeach or corroborate witnesses).<sup>46</sup> Disclosure is thus necessary here to prevent witnesses from misleading the House during its investigative factfinding. *See supra* Part III.B.3 (discussing the House’s factfinding role). As DOJ acknowledges, disclosure of grand jury information “when necessary to avoid misleading a trier of fact” is a paradigmatic showing of “particularized need.” DOJ Resp. at 18–19 (recognizing that requests under the “judicial proceedings exception typically arose” in this situation and quoting *Douglas Oil*); *Douglas Oil*, 441 U.S. at 222 n.12 (“The typical showing of particularized need arises when a litigant seeks to use ‘the grand jury transcript at the trial to impeach a witness, to refresh his recollection, to test his credibility and the like.’” (quoting *Procter & Gamble Co.*, 356 U.S. at 683)).

Third, HJC needs the requested material not only to investigate fully but also to reach a final determination about conduct by the President described in the Mueller Report. *See* HJC App. at 34 (requesting the material “to assess the meaning and implications of the Mueller Report”).<sup>47</sup> Given that the Special Counsel stopped short of a “traditional prosecutorial judgment” or any “ultimate conclusions about the President’s conduct,” Mueller Report at II-8, in part to avoid “preempt[ing] constitutional processes for addressing presidential misconduct,” *id.* at II-1; *see also id.* at 2 (“[W]hile this report does not conclude that the President committed a crime, it also does not exonerate him.”), “the House alone can hold the President accountable for the conduct described,” HJC Reply at 19. HJC cannot fairly and diligently carry out this responsibility without the grand jury material referenced and cited in the Mueller Report. Put

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<sup>46</sup> In identifying this need, HJC’s application focused on the example of Don McGahn, *see* HJC App. at 37, but DOJ has now confirmed that McGahn did not testify before the grand jury, *see* Revised ADAG Decl. ¶ 4.

<sup>47</sup> As HJC confirmed at the hearing, the recent revelations related to Ukraine have not displaced HJC’s focus on investigating the conduct described in the Mueller Report. *See* Hr’g Tr. at 30:25–32:22.

another way, HJC requires the grand jury material to evaluate the bases for the conclusions reached by the Special Counsel.

Critically, for example, the Mueller Report states: “The evidence we obtained about the President’s actions and intent presents difficult issues that prevent us from conclusively determining that no criminal conduct occurred.” Mueller Report at II-2. The grand jury material relied on in Volume II is indispensable to interpreting the Special Counsel’s evaluation of this evidence and to assessing the implications of any “difficult issues” for HJC’s inquiry into obstruction of justice. The same is true of the material redacted from Appendix C, which details the Special Counsel’s unsuccessful efforts to interview the President directly, the Special Counsel’s choice not to issue a grand jury subpoena for the President’s testimony, and related information redacted for grand jury secrecy. *See* Mueller Report App’x C-1–C-2.

Complete information about the evidence the Special Counsel gathered, from whom, and in what setting is indispensable to HJC. The recent revelation that two individuals who figured prominently in events examined in the Mueller Report—Don McGahn and Donald Trump, Jr. —were not compelled to testify before the grand jury illustrates this point. *See* Revised ADAG Decl. ¶ 4. The choice not to compel their testimony may indicate, for example, that the Special Counsel intended to leave aggressive investigation of certain potential criminal conduct, such as obstruction of justice by the President, to Congress. That intention should inform HJC’s investigation of those same issues. The grand jury material redacted from and cited in the Report may provide other significant insights into the Special Counsel’s use of, or decisions not to use, the grand jury. Those insights may be essential to HJC’s decisions about witnesses who should be questioned and about investigatory routes left unpursued by the Special Counsel that should be pursued by HJC prior to a final determination about impeachment.

Similarly, disclosure is necessary to assist HJC in filling, or assessing the need to fill, acknowledged evidentiary “gaps” in the Special Counsel’s investigation. *See supra* Part I.A. The Report detailed or alluded to investigative choices by the Special Counsel about immunity, about privilege, about pursuit of hard-to-get evidence, and other matters. As described earlier, these choices had an impact on the quantity and quality of evidence gathered about events of interest to HJC, including the Trump Tower Meeting, Carter Page’s trip to Moscow, Erik Prince’s Seychelles meeting, and potential tampering of Michael Cohen’s testimony to Congress. *See supra* Part I.A. The Special Counsel helpfully documented those impacts, identifying critical factual disputes his investigation left unresolved and pointing to potential criminal violations that went uncharged due at least in part to gaps in evidence. *See supra* Part I.A. HJC thus needs the grand jury material redacted from and cited in the Report to pursue evidence that the Special Counsel did not gather and to resolve questions—including the ultimate question whether the President committed an impeachable offense—that the Special Counsel simply left unanswered.

In a last gasp effort to deny HJC access to the requested grand jury information, DOJ argues that HJC cannot show “particularized need” because other sources, such as the public version of the Mueller Report, the other categories of material redacted from the Mueller Report, congressional testimony, and FBI Form 302 interview reports (“FBI-302s”), can supply the requisite information. *See* DOJ Resp. at 31–34. As the preceding discussion makes abundantly clear, this argument gets the basic relationship between HJC’s and the Special Counsel’s investigations backwards: the overlap between these investigations enhances, rather than detracts from, HJC’s showing of “particularized need.” *Cf. In re Grand Jury Proceedings GJ-76-4 & GJ-75-3*, 800 F.2d 1293, 1302 (4th Cir. 1986) (explaining that “particularized need” standard

requires more than relatedness but that “[o]bviously, the materials must be ‘rationally related’ for otherwise there would be no reason at all to disclose”).

Furthermore, the sources DOJ identifies cannot substitute for the requested grand jury materials. To insure most effectively against being misled, HJC must have access to all essential pieces of testimony by witnesses, including testimony given under oath to the grand jury. Additionally, for purposes of assessing and following up on the Mueller Report’s conclusions, the full Report is needed: the grand jury material may offer unique insights, insights not contained in the rest of the Report, congressional testimony, or FBI-302 reports.

Finally, DOJ claims that “[a] finding of ‘particularized need’ is especially inappropriate” because HJC “has not yet exhausted its available discovery tools”—namely, waiting for DOJ to fulfill its promised production of FBI interview reports and using congressional subpoenas. DOJ Resp. at 32–33 (citing *In re Grand Jury* 89-4-72, 932 F.2d 481, 488 (6th Cir. 1991)). In particular, DOJ cites an agreement reached with HJC this summer for DOJ to provide to HJC the thirty-three FBI-302 reports cited in Volume II of the Report, contending that this agreement must preclude a finding of “particularized need.” See DOJ Resp. at 32. These arguments smack of farce. The reality is that DOJ and the White House have been openly stonewalling the House’s efforts to get information by subpoena and by agreement, and the White House has flatly stated that the Administration will not cooperate with congressional requests for information. See Letter from Pat A. Cipollone, Counsel to the President, to Representative Nancy Pelosi, Speaker of the House, et al. (Oct. 8, 2019) at 2.

Regarding DOJ’s production of FBI-302s, “the bottom line,” as HJC put it, is that some 302s have so far been produced by DOJ but not “the ones of most interest.” HJC Resp. to DOJ

Second Supp. at 4, ECF No. 41.<sup>48</sup> Although DOJ at first “anticipate[d] making the remaining FBI-302s available,” DOJ First Supp. at 3, DOJ now says it “may need to amend the . . . agreement” because of a letter the White House sent to congressional leadership on October 8, *see* DOJ Second Supp., Second Decl. of ADAG Bradley Weinsheimer (“Second ADAG Decl.”) ¶ 6, stating that “President Trump and his Administration reject [the House’s] baseless, unconstitutional efforts to overturn the democratic process” and “cannot participate in [the House’s] partisan and unconstitutional inquiry,” Letter from Pat A. Cipollone, Counsel to the President, to Representative Nancy Pelosi, Speaker of the House, et al. (Oct. 8, 2019) at 2. The letter’s announced refusal to cooperate extends to congressional subpoenas, which the President himself had already vowed to “fight[.]” *Remarks by President Trump Before Marine One Departure*, WHITE HOUSE (Apr. 24, 2019), <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-marine-one-departure-39/> (“Well, we’re fighting all the subpoenas.”).

The White House’s stated policy of non-cooperation with the impeachment inquiry weighs heavily in favor of disclosure. Congress’s need to access grand jury material relevant to potential impeachable conduct by a President is heightened when the Executive Branch willfully obstructs channels for accessing other relevant evidence.

## **2. The Need for Disclosure Outweighs the Need for Continued Secrecy**

Any “considerations justifying” continued grand jury “secrecy bec[a]me less relevant” once the Special Counsel’s investigation, and attendant grand jury work, concluded. *Douglas Oil*, 441 U.S. at 223. Once a grand jury has ended, interests in preventing flight by those who might be indicted and in protecting sitting jurors and witnesses disappear, or lessen considerably.

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<sup>48</sup> DOJ has produced redacted FBI-302s for only seventeen of the thirty-three individuals promised. DOJ’s Supplemental Submission Regarding Accommodation Process (“DOJ First Supp.”) at 3, ECF No. 37.

*See id.* at 222 (recognizing that “the interests in grand jury secrecy” are “reduced” once “the grand jury has ended its activities”); *Butterworth v. Smith*, 494 U.S. 624, 632–33 (1990) (identifying these as the considerations that no longer apply “[w]hen an investigation ends”); *In re 1972 Grand Jury Report*, 370 F. Supp. at 1229; 1 Charles Alan Wright & Arthur R. Miller, *Federal Practice and Procedure* § 106 (4th ed. 2019).

Once a grand jury has ended, the primary purpose of secrecy is safeguarding future grand juries’ ability to obtain “frank and full testimony.” *Douglas Oil*, 441 U.S. at 222. Any risk of damage to this interest is slim here, for two reasons. First, as DOJ itself emphasizes in arguing that HJC cannot establish a need for the material, categories one and two of HJC’s request are relatively “limited.” DOJ Resp. at 6; *see also id.* at 31 (calling the redactions “minimal”); Revised ADAG Decl. ¶ 3. Disclosure of “limited” information, including excerpts of grand jury transcripts, to HJC is unlikely to deter potential future grand jury witnesses. Second, disclosure is to the House, not to the public, and “less risk of . . . leakage or improper use” of grand jury material is present when disclosure is made to “government movants.” *Sells Eng’g, Inc.*, 463 U.S. at 445; *Hastings*, 833 F.2d at 1441 (considering factors “peculiar to the [HJC] as a government movant”). Here, HJC guarantees that “a high degree of ‘continued secrecy’ could in fact be maintained” under already-adopted Grand Jury Handling Procedures calling for storage of the material in a secure location and restriction of access to Members of HJC and HPSCI. *See* HJC App. at 38 (citing GJ Handling Protocols); *see also In re 1972 Grand Jury Report*, 370 F. Supp. at 1230 (observing that the relevant standard “might well justify even a public disclosure” but that there is “certainly ample basis for disclosure to a body” that “has taken elaborate precautions to insure against unnecessary and inappropriate disclosure of these materials”). DOJ discounts these procedures as “entirely illusory” because they can be altered “on a simple



majority vote” by HJC, DOJ Resp. at 36, but offers “no basis on which to assume that the Committee’s use of the [material] will be injudicious or that it will disregard” or change these procedures, *In re 1972 Grand Jury Report*, 370 F. Supp. at 1230. Such an assumption would be inappropriate. *See supra* Part II.B.3 (discussing deference due to Congress in this matter).

Certainly, a continued interest in protecting from “public ridicule” individuals investigated but not indicted by the grand jury persists even when a grand jury has ended. *Douglas Oil*, 441 U.S. at 219; *see also* Wright & Miller, *supra*, § 106. The risk of public reputational harm to such individuals is slim to none here, however, where disclosure is to HJC under special handling protocols. Further, any remaining interest in secrecy is diminished by widespread public knowledge about the details of the Special Counsel’s investigation, which paralleled that of the grand jury’s, and about the charging and declination decisions outlined in the Mueller Report. *See In re Grand Jury Subpoena, Judith Miller*, 438 F.3d 1138, 1140 (D.C. Cir. 2006) (recognizing that “when information is sufficiently widely known” it has no “character [of] Rule 6(e) material” (quoting *In re North*, 16 F.3d at 1245)).

DOJ argues that ongoing criminal matters referred by the Special Counsel’s Office for investigation or prosecution are the chief reason for continued secrecy. *See* DOJ Resp. at 36–37 (citing, *inter alia*, Mueller Report App’x D (“Special Counsel’s Office Transferred, Referred, and Completed Cases”)). That DOJ has already disclosed to certain Members of the House the material redacted from the Mueller Report to prevent harm to ongoing matters, *see* DOJ Resp. at 8; *see also* Hr’g Tr. at 4:4–4:11, undercuts this claim that continued secrecy of the grand jury material is required to protect any ongoing investigations or cases. HJC has nevertheless made clear that it has “no interest whatsoever in undermining any ongoing criminal proceedings” and has expressed willingness to negotiate with DOJ about disclosure of any grand jury information

that DOJ believes could harm ongoing matters. Hr'g Tr. at 45:2–45:11. The Court expects that any such negotiations between the parties would be limited to the six redactions for grand jury information in Volume I of the Report that DOJ has already identified as presenting potential harm to ongoing matters. *See* Second ADAG Decl. ¶ 3.

\* \* \*

The need for continued secrecy is minimal and thus easily outweighed by HJC's compelling need for the material. Tipping the scale even further toward disclosure is the public's interest in a diligent and thorough investigation into, and in a final determination about, potentially impeachable conduct by the President described in the Mueller Report. *See In re 1972 Grand Jury Report*, 370 F. Supp. at 1230; *see Illinois v. Abbott & Assocs., Inc.*, 460 U.S. 557, 567 n.15 (1983) (“[T]he district court may weigh the public interest, if any, served by disclosure to a governmental body.”).

### **3. Scope of Disclosure Authorized**

HJC has shown that it needs the grand jury material referenced and cited in the Mueller Report to avoid a possible injustice in the impeachment inquiry, that this need for disclosure is greater than the need for continued secrecy, and that the “request is structured to cover only material so needed.” *Douglas Oil*, 441 U.S. at 222.<sup>49</sup> DOJ is ordered to disclose that material to HJC promptly, by October 30, 2019. HJC may file further requests with the Court articulating its particularized need for disclosure of any additional material requested in its initial application.

## **IV. CONCLUSION**

For the foregoing reasons, HJC's application is granted. Consequently, DOJ is ordered to provide promptly, by October 30, 2019, to HJC all portions of the Mueller Report that were

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<sup>49</sup> DOJ concedes that the requests for the material referenced or cited in the report are properly structured. *See* DOJ Resp. at 37–38 (challenging only the structure of HJC's request for material in category three).

redacted pursuant to Rule 6(e) and any underlying transcripts or exhibits referenced in the portions of the Mueller Report that were redacted pursuant to Rule 6(e). HJC is permitted to file further requests articulating its particularized need for additional grand jury information requested in the initial application.

An appropriate Order accompanies this Memorandum Opinion.

Date: October 25, 2019

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BERYL A. HOWELL  
Chief District Judge

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[PkgNumberShort]

Declassified by order of the President

September 24, 2019

~~EYES ONLY~~~~DO NOT COPY~~

## MEMORANDUM OF TELEPHONE CONVERSATION

SUBJECT: ~~(C)~~ Telephone Conversation with President  
Zelenskyy of Ukraine

PARTICIPANTS: President Zelenskyy of Ukraine

Notetakers: The White House Situation Room

DATE, TIME: July 25, 2019, 9:03 - 9:33 a.m. EDT  
AND PLACE: Residence

~~(S//NF)~~ The President: Congratulations on a great victory. We all watched from the United States and you did a terrific job. The way you came from behind, somebody who wasn't given much of a chance, and you ended up winning easily. It's a fantastic achievement. Congratulations.

~~(S//NF)~~ President Zelenskyy: You are absolutely right Mr. President. We did win big and we worked hard for this. We worked a lot but I would like to confess to you that I had an opportunity to learn from you. We used quite a few of your skills and knowledge and were able to use it as an example for our elections and yes it is true that these were unique elections. We were in a unique situation that we were able to

CAUTION: A Memorandum of a Telephone Conversation (TELCON) is not a verbatim transcript of a discussion. The text in this document records the notes and recollections of Situation Room Duty Officers and NSC policy staff assigned to listen and memorialize the conversation in written form as the conversation takes place. A number of factors can affect the accuracy of the record, including poor telecommunications connections and variations in accent and/or interpretation. The word "inaudible" is used to indicate portions of a conversation that the notetaker was unable to hear.

Classified By: 2354726  
Derived From: NSC SCG  
Declassify On: 20441231

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achieve a unique success. I'm able to tell you the following; the first time, you called me to congratulate me when I won my presidential election, and the second time you are now calling me when my party won the parliamentary election. I think I should run more often so you can call me more often and we can talk over the phone more often.

~~(S//NF)~~ The President: [laughter] That's a very good idea. I think your country is very happy about that.

~~(S//NF)~~ President Zelenskyy: Well yes, to tell you the truth, we are trying to work hard because we wanted to drain the swamp here in our country. We brought in many many new people. Not the old politicians, not the typical politicians, because we want to have a new format and a new type of government. You are a great teacher for us and in that.

~~(S//NF)~~ The President: Well it's very nice of you to say that. I will say that we do a lot for Ukraine. We spend a lot of effort and a lot of time. Much more than the European countries are doing and they should be helping you more than they are. Germany does almost nothing for you. All they do is talk and I think it's something that you should really ask them about. When I was speaking to Angela Merkel she talks Ukraine, but she doesn't do anything. A lot of the European countries are the same way so I think it's something you want to look at but the United States has been very very good to Ukraine. I wouldn't say that it's reciprocal necessarily because things are happening that are not good but the United States has been very very good to Ukraine.

~~(S//NF)~~ President Zelenskyy: Yes you are absolutely right. Not only 100%, but actually 1000% and I can tell you the following; I did talk to Angela Merkel and I did meet with her. I also met and talked with Macron and I told them that they are not doing quite as much as they need to be doing on the issues with the sanctions. They are not enforcing the sanctions. They are not working as much as they should work for Ukraine. It turns out that even though logically, the European Union should be our biggest partner but technically the United States is a much bigger partner than the European Union and I'm very grateful to you for that because the United States is doing quite a lot for Ukraine. Much more than the European Union especially when we are talking about sanctions against the Russian Federation. I would also like to thank you for your great support in the area of defense. We are ready to continue to cooperate for the next steps specifically we are almost ready to buy more Javelins from the United States for defense purposes.

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~~(S//NF)~~ The President: I would like you to do us a favor though because our country has been through a lot and Ukraine knows a lot about it. I would like you to find out what happened with this whole situation with Ukraine, they say CrowdStrike... I guess you have one of your wealthy people... The server, they say Ukraine has it. There are a lot of things that went on, the whole situation. I think you're surrounding yourself with some of the same people. I would like to have the Attorney General call you or your people and I would like you to get to the bottom of it. As you saw yesterday, that whole nonsense ended with a very poor performance by a man named Robert Mueller, an incompetent performance, but they say a lot of it started with Ukraine. Whatever you can do, it's very important that you do it if that's possible.

~~(S//NF)~~ President Zelenskyy: Yes it is very important for me and everything that you just mentioned earlier. For me as a President, it is very important and we are open for any future cooperation. We are ready to open a new page on cooperation in relations between the United States and Ukraine. For that purpose, I just recalled our ambassador from United States and he will be replaced by a very competent and very experienced ambassador who will work hard on making sure that our two nations are getting closer. I would also like and hope to see him having your trust and your confidence and have personal relations with you so we can cooperate even more so. I will personally tell you that one of my assistants spoke with Mr. Giuliani just recently and we are hoping very much that Mr. Giuliani will be able to travel to Ukraine and we will meet once he comes to Ukraine. I just wanted to assure you once again that you have nobody but friends around us. I will make sure that I surround myself with the best and most experienced people. I also wanted to tell you that we are friends. We are great friends and you Mr. President have friends in our country so we can continue our strategic partnership. I also plan to surround myself with great people and in addition to that investigation, I guarantee as the President of Ukraine that all the investigations will be done openly and candidly. That I can assure you.

~~(S//NF)~~ The President: Good because I heard you had a prosecutor who was very good and he was shut down and that's really unfair. A lot of people are talking about that, the way they shut your very good prosecutor down and you had some very bad people involved. Mr. Giuliani is a highly respected man. He was the mayor of New York City, a great mayor, and I would like him to

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call you. I will ask him to call you along with the Attorney General. Rudy very much knows what's happening and he is a very capable guy. If you could speak to him that would be great. The former ambassador from the United States, the woman, was bad news and the people she was dealing with in the Ukraine were bad news so I just want to let you know that. The other thing, There's a lot of talk about Biden's son, that Biden stopped the prosecution and a lot of people want to find out about that so whatever you can do with the Attorney General would be great. Biden went around bragging that he stopped the prosecution so if you can look into it... It sounds horrible to me.

~~(S//NF)~~ President Zelenskyy: I wanted to tell you about the prosecutor. First of all I understand and I'm knowledgeable about the situation. Since we have won the absolute majority in our Parliament, the next prosecutor general will be 100% my person, my candidate, who will be approved by the parliament and will start as a new prosecutor in September. He or she will look into the situation, specifically to the company that you mentioned in this issue. The issue of the investigation of the case is actually the issue of making sure to restore the honesty so we will take care of that and will work on the investigation of the case. On top of that, I would kindly ask you if you have any additional information that you can provide to us, it would be very helpful for the investigation to make sure that we administer justice in our country with regard to the Ambassador to the United States from Ukraine as far as I recall her name was Ivanovich. It was great that you were the first one who told me that she was a bad ambassador because I agree with you 100%. Her attitude towards me was far from the best as she admired the previous President and she was on his side. She would not accept me as a new President well enough.

~~(S//NF)~~ The President: Well, she's going to go through some things. I will have Mr. Giuliani give you a call and I am also going to have Attorney General Barr call and we will get to the bottom of it. I'm sure you will figure it out. I heard the prosecutor was treated very badly and he was a very fair prosecutor so good luck with everything. Your economy is going to get better and better I predict. You have a lot of assets. It's a great country. I have many Ukrainian friends, their incredible people.

~~(S//NF)~~ President Zelenskyy: I would like to tell you that I also have quite a few Ukrainian friends that live in the United States. Actually last time I traveled to the United States, I stayed in New York near Central Park and I stayed at the Trump

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Tower. I will talk to them and I hope to see them again in the future. I also wanted to thank you for your invitation to visit the United States, specifically Washington DC. On the other hand, I also want to ensure you that we will be very serious about the case and will work on the investigation. As to the economy, there is much potential for our two countries and one of the issues that is very important for Ukraine is energy independence. I believe we can be very successful and cooperating on energy independence with United States. We are already working on cooperation. We are buying American oil but I am very hopeful for a future meeting. We will have more time and more opportunities to discuss these opportunities and get to know each other better. I would like to thank you very much for your support

~~(S//NF)~~ The President: Good. Well, thank you very much and I appreciate that. I will tell Rudy and Attorney General Barr to call. Thank you. Whenever you would like to come to the White House, feel free to call. Give us a date and we'll work that out. I look forward to seeing you.

~~(S//NF)~~ President Zelenskyy: Thank you very much. I would be very happy to come and would be happy to meet with you personally and get to know you better. I am looking forward to our meeting and I also would like to invite you to visit Ukraine and come to the city of Kyiv which is a beautiful city. We have a beautiful country which would welcome you. On the other hand, I believe that on September 1 we will be in Poland and we can meet in Poland hopefully. After that, it might be a very good idea for you to travel to Ukraine. We can either take my plane and go to Ukraine or we can take your plane, which is probably much better than mine.

~~(S//NF)~~ The President: Okay, we can work that out. I look forward to seeing you in Washington and maybe in Poland because I think we are going to be there at that time.

~~(S//NF)~~ President Zelenskyy: Thank you very much Mr. President.

~~(S//NF)~~ The President: Congratulations on a fantastic job you've done. The whole world was watching. I'm not sure it was so much of an upset but congratulations.

~~(S//NF)~~ President Zelenskyy: Thank you Mr. President bye-bye.

-- End of Conversation --

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**THE WHITE HOUSE**  
**WASHINGTON**

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MEMORANDUM OF TELEPHONE CONVERSATION

SUBJECT: (U//FOUO) Telephone Conversation with  
President-elect Volodymyr Zelenskyy of Ukraine

PARTICIPANT: President-elect Volodymyr Zelenskyy of Ukraine

Interpreter: Provided by the Department of State  
Notetakers: The White House Situation Room

DATE, TIME April 21, 2019, 4:29 - 4:45 p.m. EDT  
AND PLACE: Air Force One

(U) The President: I'd like to congratulate you on a job well done, and congratulations on a fantastic election.

(U) President-elect Zelenskyy: Good to hear from you. Thank you so very much. It's very nice to hear from you, and I appreciate the congratulations.

(U) The President: That was an incredible election.

(U) President-elect Zelenskyy: Again, thank you so very much. As you can see, we tried very hard to do our best. We had you as a great example.

(U) The President: I think you will do a great job. I have many friends in Ukraine who know you and like you. I have many friends from Ukraine and they think - frankly - expected you to win. And it's really an amazing thing that you've done.

CAUTION: A Memorandum of a Telephone Conversation (TELCON) is not a verbatim transcript of a discussion. The text in this document records the notes and recollections of Situation Room Duty Officers and NSC policy staff assigned to listen and memorialize the conversation in written form as the conversation takes place. A number of factors can affect the accuracy of the record, including poor telecommunications connections and variations in accent and/or interpretation. The word "inaudible" is used to indicate portions of a conversation that the notetaker was unable to hear.

An interpreter facilitated this conversation. Differences in interpretation may result in subtle differences in the exact meaning of phrases.

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I guess, in a way, I did something similar. We're making tremendous progress in the U.S. [United States] - we have the most tremendous economy ever. I just wanted to congratulate you. I have no doubt you will be a fantastic president.

(U) President-elect Zelenskyy: First of all, thank you so very much, again, for the congratulations. We in Ukraine are an independent country, and independent Ukraine - we're going to do everything for the people. You are, as I said, a great example. We are hoping we can expand on our job as you did. You will always, also, be a great example for many. You are a great example for our new managers. I'd also like to invite you, if it's possible, to the inauguration. I know how busy you are, but if it's possible for you to come to the inauguration ceremony, that would be a great, great thing for you to do to be with us on that day.

(U) The President: Well, that's very nice. I'll look into that, and well - give us the date and, at a very minimum, we'll have a great representative. Or more than one from the United States will be with you on that great day. So, we will have somebody, at a minimum, at a very, very high level, and they will be with you. Really, an incredible day for an incredible achievement.

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(U) President-elect Zelenskyy: Again, thank you, and we're looking forward to your visit or to the visit of a high-level delegation. But there's no word that can describe our wonderful country. How nice, warm, and friendly our people are, how tasty and delicious our food is, and how wonderful Ukraine is. Words cannot describe our country, so it would be best for you to see it yourself. So, if you can come, that would be great. So, again, I invite you to come.

(U) The President: Well, I agree with you about your country, and I look forward to it. When I owned Miss Universe, they always had great people. Ukraine was always very well represented. When you're settled in and ready, I'd like to invite you to the White House. We'll have a lot of things to talk about, but we're with you all the way.

(U) President-elect Zelenskyy: Well, thank you for the invitation. We accept the invitation and look forward to the visit. Thank you again. The whole team and I are looking forward to that visit. Thank you, again, for the congratulations. And I think that it will still be great if you could come and be with us on this very important day of our inauguration. The results are incredible - they're very

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impressive for us. So, it will be absolutely fantastic if you could come and be with us on that day.

(U) The President: Very good. We'll let you know very soon, and we will see you, very soon, regardless. Congratulations - and, please, say hello to the Ukrainian people and your family. Let them know that I send my best regards from our country.

(U) President-elect Zelenskyy: Well, thank you, again. You have a safe flight and see you soon.

(U) The President: Take care of yourself and give a great speech today. You take care of yourself, and I'll see you soon.

(U) President-elect Zelenskyy: Thank you very much. It is difficult for me, but I will practice English and we'll meet in English. Thank you very much.

(U) The President: [Laughter] All that's beautiful to hear! That's really good. I could not do that in your language. I'm very impressed. Thank you very much.

(U) President-elect Zelenskyy: Thank you very much. I'll see you very soon.

(U) The President: Great day. Good luck.

(U) President-elect Zelenskyy: Goodbye.

-- End of Conversation --

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United States Department of State

Washington, D.C. 20520

January 10, 2020

Case No: F-2020-00309

American Oversight  
Daniel McGrath  
1030 15<sup>th</sup> Street NW, B255  
Washington, DC 20005

Dear Mr. McGrath:

This is in response to your request under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552, referenced above, dated August 23, 2019. In conjunction with FOIA case number F-2019-09097, the Department reviewed over 300 potentially responsive pages. The Department identified 41 pages responsive to your request and has determined that 3 pages may be released in full, and 38 pages may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made redactions, the applicable FOIA exemptions are marked on each document. In some cases, two or more exemptions may apply to the same document. All non-exempt material that is reasonably segregable from exempt material has been released in the enclosed pages.

The processing of your request remains ongoing. If you have any questions, your attorney may contact Trial Attorney, Josh Abbuhl at (202) 616-8366 or at [Joshua.Abbuhl@usdoj.gov](mailto:Joshua.Abbuhl@usdoj.gov). Please refer to civil action number 19-cv-3058, and FOIA case number F-2020-00309 in all correspondence regarding this case.

Sincerely,

A handwritten signature in black ink that reads "Susan C. Weetman".

Susan C. Weetman  
Deputy Director  
Office of Information Programs and Services

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

## FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

- 1.4(a) Military plans, systems, or operations
- 1.4(b) Foreign government information
- 1.4(c) Intelligence activities, sources or methods, or cryptology
- 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
- 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
- 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
- 1.4(h) Weapons of mass destruction

- (b)(2) Related solely to the internal personnel rules and practices of an agency

- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMSEXP	Arms Export Control Act, 50a USC 2411(c)
CIA PERS/ORG	Central Intelligence Agency Act of 1949, 50 USC 403(g)
EXPORT CONTROL	Export Administration Act of 1979, 50 USC App. Sec. 2411(c)
FS ACT	Foreign Service Act of 1980, 22 USC 4004
INA	Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
IRAN	Iran Claims Settlement Act, Public Law 99-99, Sec. 505

- (b)(4) Trade secrets and confidential commercial or financial information

- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product

- (b)(6) Personal privacy information

- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual

- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions

- (b)(9) Geological and geophysical information and data, including maps, concerning wells

## Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester



<div>Released in Part</div>	
<div>(b)(6)</div>	
<b>Subject:</b>	REMINDER: Staffers' St. Patrick's Day Party and Welcome Party for
<b>Location:</b>	Staffers' Office, 6223A
<b>Start:</b>	Wed 3/13/2019 12:00 PM
<b>End:</b>	Wed 3/13/2019 2:00 PM
<b>Show Time As:</b>	Tentative
<b>Recurrence:</b>	(none)
<b>Meeting Status:</b>	Not yet responded
<b>Organizer:</b>	EUR-StaffAssistants
<b>Required Attendees:</b>	EUR-Deskofficers-DL; EUR-Directors-DL; EUR-FO-DL
<b>Optional Attendees:</b>	



**Released in Full**

**WHAT:** Staffers' St. Patrick's Day Party, and also to welcome Kim and Patty as our new staffers!

**WHEN:** Wednesday, March 13, 12-2pm

**WHERE:** Staffers' Office, 6223A

**WHAT TO BRING:** We'll have drinks, food, dessert, but feel free to bring something to share

**March 13, 2019**

Wednesday

8:00 AM - 8:30 AM

DAS Meeting -- A/S Office  
Dear all,**Released in Part**

Please be advised that today's meeting will shift to 08:00 am.

**Regards,**

(b)(6)

Executive Assistant to EUR/DAS Michael J. Murphy

U.S. Department of State| HST Room 6227

(b)(6)

12:00 PM - 2:00 PM

REMINDER: Staffers' St. Patrick's Day Party and Welcome Party for (b)(6) Staffers' Office, 6223A

WHAT: Staffers' St. Patrick's Day Party, and also to welcome (b)(6) as our new staffers!

WHEN: Wednesday, March 13, 12-2pm

WHERE: Staffers' Office, 6223A

WHAT TO BRING: We'll have drinks, food, dessert, but feel free to bring something to share

**March 14, 2019**

Thursday

3:00 PM - 5:00 PM

EUR/SCE Annual St. Patrick's Day Party! -- HST 5219  
Happening Now!!

**March 14, 2019 Continued**  
Thursday

**Released in Part**

Dear Colleagues,

Please join us for EUR/SCE's annual St. Patrick's Day party! We will be celebrating on Thursday, March 14 from 3:00 to 5:00 in our suite, 5219.

We will be serving theme-appropriate (food and) drink, and the music will be sure to inspire some dancing of the jig.



St. Patrick's Day  
Invitation.p...

Of course, Wearing of the Green is encouraged.

We are looking forward to celebrating with you all, and please feel free to pass along this invitation.

*Sláinte!*

**March 28, 2019**  
Thursday

11:00 AM - 11:30 AM

Meeting with Nick Schiffrin, Ambassador Kurt Volker and Mr Christopher Anderson -- Le Pain Quotidien | 800 17th St NW, Washington, DC 20006 | Phone: (202) 688-0341

**From:** Nick Schiffrin (b)(6) >

**Sent:** Wednesday, March 27, 2019 4:24 PM

**To:** (b)(6); Kurt Volker

(b)(6) > Volker, Kurt D (b)(6)  
Anderson, Christopher J (b)(6)

**Cc:** Kurt Volker (b)(6)

**Subject:** RE: catching up

Sounds good. Thank you.

**From:** (b)(6) >  
**Sent:** Wednesday, March 27, 2019 4:18 PM

AMERICAN  
OVERSIGHT

**March 28, 2019 Continued**

Thursday

**To:** Nick Schifrin <(b)(6)>; Kurt Volker

<(b)(6)>; Volker, Kurt D <(b)(6)>  
Anderson, Christopher J <(b)(6)>

**Cc:** Kurt Volker <(b)(6)>

**Subject:** RE: catching up

**Released in Part**

Great. How about meeting at Le Pain Quotidien at 800 17th St NW, Washington, DC 20006?

(b)(6)

Executive Assistant to Ambassador Kurt Volker

**The McCain Institute for International Leadership**

**at Arizona State University**

ASU Barrett & O'Connor Center

1800 I Street NW, Suite 600

Washington, DC 20006

Office: (b)(6)

[www.McCainInstitute.org](http://www.McCainInstitute.org)

[Twitter](#) • [Facebook](#) • [Instagram](#) • [YouTube](#)

**From:** Nick Schifrin <(b)(6)>

**Sent:** Wednesday, March 27, 2019 4:15 PM

**To:** <(b)(6)>; Volker, Kurt D <(b)(6)>

<(b)(6)>; Volker, Kurt D <(b)(6)>  
Anderson, Christopher J <(b)(6)>

**Cc:** Kurt Volker <(b)(6)>

**Subject:** RE: catching up

AMERICAN  
OVERSIGHT

I can't do 4-5. How about we grab 11-1130? Thanks very much.

**March 28, 2019 Continued**

Thursday

**Released in Part**

-  
Nick Schifrin

Foreign Affairs and Defense Correspondent, PBS NewsHour

Office: (b)(6)

Mobile/WhatsApp/Signal: (b)(6)

(b)(6)

@nickschifrin

**From:** (b)(6) >  
**Sent:** Wednesday, March 27, 2019 3:12 PM  
**To:** Nick Schifrin <(b)(6)>; Kurt Volker <(b)(6)>  
 (b)(6); Volker, Kurt D <(b)(6)>  
 Anderson, Christopher J <(b)(6)>  
**Cc:** Kurt Volker <(b)(6)>  
**Subject:** RE: catching up

Ambassador Volker will be on a call until 11:00am. Would 4-5 be better?

(b)(6)

Executive Assistant to Ambassador Kurt Volker

**The McCain Institute for International Leadership**

**at Arizona State University**

ASU Barrett & O'Connor Center

**March 28, 2019 Continued**

Thursday

1800 I Street NW, Suite 600

Washington, DC 20006

Office: (b)(6)

[www.McCainInstitute.org](http://www.McCainInstitute.org)**Released in Part**[Twitter](#) • [Facebook](#) • [Instagram](#) • [YouTube](#)**From:** Nick Schifrin (b)(6)**Sent:** Wednesday, March 27, 2019 2:31 PM**To:** (b)(6); Kurt Volker

(b)(6); Volker, Kurt D (b)(6)

Anderson, Christopher J (b)(6)

**Cc:** Kurt Volker (b)(6)**Subject:** RE: catching up

Actually, I now have to be back in the office at 12p.

Could we meet from 1030-1130 instead?

Thanks very much.

-

Nick Schifrin

Foreign Affairs and Defense Correspondent, PBS NewsHour

Office: (b)(6)

Mobile/WhatsApp/Signal: (b)(6)

(b)(6)

@nickschifrin

**March 28, 2019 Continued**

Thursday

**Released in Part**

**From:** Nick Schifrin

**Sent:** Wednesday, March 27, 2019 1:55 PM

**To:** (b)(6) >; Kurt Volker

(b)(6) >; Volker, Kurt D (b)(6)  
Anderson, Christopher J (b)(6)

**Cc:** Kurt Volker (b)(6) >

**Subject:** RE: catching up

Hi (b)(6)

Sorry for my delayed reply. Yes, I can come tomorrow at 11a. Thanks very much.

Best,

Nick

-

Nick Schifrin

Foreign Affairs and Defense Correspondent, PBS NewsHour

Office: (b)(6)

Mobile/WhatsApp/Signal: (b)(6)

(b)(6)

@nickschifrin

**From:** (b)(6) >

**Sent:** Wednesday, March 27, 2019 10:07 AM

AMERICAN  
OVERSIGHT



**March 28, 2019 Continued**

Thursday

**To:** Kurt Volker <(b)(6)>; Nick Schiffrin

&lt;(b)(6)&gt;; Volker, Kurt D &lt;(b)(6)&gt;

Anderson, Christopher J &lt;(b)(6)&gt;

**Cc:** Kurt Volker <(b)(6)>**Subject:** RE: catching up**Released in Part**

Dear Nick,

I hope this note finds you well. I wanted to follow up on my previous note. Ambassador Volker is still available to meet on Thursday, March 28 (tomorrow) either at 11:00am-12:00pm or 4:00pm-5:00pm. Please let me know which you decide. Thank you.

(b)(6)

(b)(6)

Executive Assistant to Ambassador Kurt Volker

**The McCain Institute for International Leadership**  
**at Arizona State University**

ASU Barrett &amp; O'Connor Center

1800 I Street NW, Suite 600

Washington, DC 20006

Office: (b)(6)

[www.McCainInstitute.org](http://www.McCainInstitute.org)[Twitter](#) • [Facebook](#) • [Instagram](#) • [YouTube](#)**From:** (b)(6)**Sent:** Monday, March 25, 2019 9:00 PM**To:** 'Kurt Volker' <(b)(6)>; Nick Schiffrin

&lt;(b)(6)&gt;; Volker, Kurt D &lt;(b)(6)&gt;

Anderson, Christopher J &lt;(b)(6)&gt;


 AMERICAN  
OVERSIGHT

**March 28, 2019 Continued**

Thursday

**Cc:** Kurt Volker (b)(6)  
**Subject:** RE: catching up

Hi Nick –

**Released in Part**

Hope this note finds you well. Would like to offer up to you some possible times for Ambassador Volker's availability on Thursday 3/28:

11:00am-12:00pm

4:00pm-5:00pm

Please let me know what works. Will be glad to schedule you.

All the best,

(b)(6)

(b)(6)

Executive Assistant to Ambassador Kurt Volker

**The McCain Institute for International Leadership  
 at Arizona State University**

ASU Barrett & O'Connor Center

1800 I Street NW, Suite 600

Washington, DC 20006

Office (b)(6)

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**March 28, 2019 Continued**

Thursday

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Released in Part

**From:** Kurt Volker <(b)(6)>  
**Sent:** Monday, March 25, 2019 3:56 PM  
**To:** Nick Schifrin <(b)(6)>; Volker, Kurt D  
 <(b)(6)>  
 <(b)(6)>; Anderson, Christopher J  
**Cc:** Kurt Volker <(b)(6)>  
**Subject:** Re: catching up

Hi Nick -- yes -- happy to -- maybe Thursday this week? Or next week - kurt

**Amb. Kurt Volker**  
 Executive Director  
**McCain Institute for International Leadership**  
**Arizona State University**

ASU Barrett & O'Connor Center  
 1800 I Street NW, Suite 600, Washington, DC 20006

(b)(6)

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On Mon, Mar 25, 2019 at 1:30 PM Nick Schifrin

<(b)(6)> wrote:

Hi Ambassador,

**March 28, 2019 Continued**

Thursday

This is Nick Schiffrin from PBS NewsHour. How are you? I hope all is well.

We are setting up some Ukraine coverage for the next few weeks, and I'm wondering if you have any time to meet for a coffee?

Thanks very much.

Released in Part

Best,

Nick

-

Nick Schiffrin

Foreign Affairs and Defense Correspondent, PBS NewsHour

Office: (b)(6)

Mobile/WhatsApp/Signal: (b)(6)

(b)(6)

@nickschiffrin

**April 30, 2019**

Tuesday

8:30 AM - 9:30 AM

S Trip Planning Mtg - Russia -- PCR (HST-7516)

Dear Colleagues,

(SBU) Please join me for our first trip planning meeting for the Secretary's upcoming travel to Russia. The meeting will take place in the PCR (HST-7516) on Tuesday, April 30 at 0830 EDT.

**April 30, 2019 Continued**

Tuesday

Participants at post are kindly requested to invite others as necessary.

**Released in Part**

(b)(2),  
(b)(7)(E)

Those joining from outside should dial in to **202-647-0817** up to 15 minutes before the scheduled start time and use access code [REDACTED]

I look forward to seeing and hearing from all of you!

Best,

Chris Klein

Deputy Executive Secretary

U.S. Department of State

(b)(6)

**May 1, 2019**

Wednesday

10:00 AM - 11:00 AM

Meeting with S -- Main State

**From:** Anderson, Christopher J [REDACTED] (b)(6)

**Sent:** Tuesday, April 23, 2019 11:53 AM

**To:** [REDACTED] (b)(6)

[REDACTED] (b)(6) | Kurt Volker [REDACTED] (b)(6)

**Cc:** [REDACTED] (b)(6) | Volker, Kurt D

[REDACTED] (b)(6)

**Subject:** Re: FW: S approved memo 201913724, Call with SRUN Kurt Volker

They're just realized that they'll both be in the building so the meeting will be in person.

Christopher J. Anderson

Special Advisor for Ukraine Negotiations

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**May 1, 2019 Continued**

Wednesday

U.S. Department of State - HST 6517

**Released in Part**

(b)(6)

\* This is a draft or deliberative email related to ongoing diplomatic negotiations unless otherwise noted \*

**From:** (b)(6)  
**Sent:** Tuesday, April 23, 2019 10:13:38 AM  
**To:** Anderson, Christopher J; (b)(6) Kurt Volker  
**Cc:** (b)(6) Volker, Kurt D  
**Subject:** RE: FW: S approved memo 201913724, Call with SRUN Kurt Volker

Got it. Thanks.

(b)(6)

Executive Assistant to Ambassador Kurt Volker

**The McCain Institute for International Leadership**  
**at Arizona State University**

ASU Barrett & O'Connor Center

1800 I Street NW, Suite 600

Washington, DC 20006

Office: (b)(6)

[www.McCainInstitute.org](http://www.McCainInstitute.org)

[Twitter](#) • [Facebook](#) • [Instagram](#) • [YouTube](#)

**From:** Anderson, Christopher J (b)(6)  
**Sent:** Tuesday, April 23, 2019 10:12 AM

AMERICAN  
OVERSIGHT

**May 1, 2019 Continued**

Wednesday

**To:** (b)(6)  
 (b)(6) Kurt Volker <(b)(6)>  
**Cc:** (b)(6); Volker, Kurt D  
 (b)(6)  
**Subject:** Re: FW: S approved memo 201913724, Call with SRUN Kurt Volker

**Released in Part**

Yes - his office. Thanks.

Christopher J. Anderson

Special Advisor for Ukraine Negotiations

U.S. Department of State - HST 6517

(b)(6)

\* This is a draft or deliberative email related to ongoing diplomatic negotiations unless otherwise noted \*

**From:** (b)(6)  
**Sent:** Tuesday, April 23, 2019 10:09:51 AM  
**To:** (b)(6) Kurt Volker  
**Cc:** Anderson, Christopher J; (b)(6) Volker, Kurt D  
**Subject:** RE: FW: S approved memo 201913724, Call with SRUN Kurt Volker

Main State?

(b)(6)

Executive Assistant to Ambassador Kurt Volker

**The McCain Institute for International Leadership**

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**May 1, 2019 Continued**

Wednesday

**at Arizona State University**

ASU Barrett &amp; O'Connor Center

1800 I Street NW, Suite 600

Washington, DC 20006

Office: (b)(6)

[www.McCainInstitute.org](http://www.McCainInstitute.org)**Released in Part**[Twitter](#) • [Facebook](#) • [Instagram](#) • [YouTube](#)**From:** (b)(6)**Sent:** Monday, April 22, 2019 7:11 PM**To:** Kurt Volker <(b)(6)>

&lt;(b)(6)&gt;

**Cc:** Anderson, Christopher J <(b)(6)>

(b)(6) Volker, Kurt D &lt;(b)(6)&gt;

**Subject:** RE: FW: S approved memo 201913724, Call with SRUN Kurt Volker

Great, confirmed.

**From:** Kurt Volker <(b)(6)>**Sent:** Monday, April 22, 2019 6:55 PM**To:** (b)(6)

(b)(6)

**Cc:** Anderson, Christopher J <(b)(6)>

(b)(6) Volker, Kurt D &lt;(b)(6)&gt;

**Subject:** Re: FW: S approved memo 201913724, Call with SRUN Kurt Volker

Yes - please do - thanks!

On Mon, Apr 22, 2019 at 5:16 PM (b)(6)

(b)(6) wrote:

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**May 1, 2019 Continued**

Wednesday

Ambassador, S staff would like to confirm Wednesday, May 1<sup>st</sup> at 10am for a secure call. Shall I confirm? — [redacted]

(b)(6)

**Released in Part**

**From:** Kurt Volker [redacted]  
**Sent:** Friday, April 19, 2019 2:07 PM  
**To:** [redacted]  
**Subject:** Re: FW: S approved memo 201913724, Call with SRUN Kurt Volker

April 29, May 1, May 7-8-9.

On Fri, Apr 19, 2019 at 1:51 PM [redacted]  
 [redacted] wrote:

S staff is now saying they want to wait until you're back in DC and able to do a secure call. Any dates I can propose?

**From:** Kurt Volker [redacted]  
**Sent:** Friday, April 19, 2019 1:32 PM  
**To:** [redacted]  
**Subject:** Re: FW: S approved memo 201913724, Call with SRUN Kurt Volker

Yes — afraid that's the only option. Thanks - Kurt

On Fri, Apr 19, 2019 at 1:28 PM [redacted]  
 [redacted] wrote:

Will do. I'll also confirm that you'll do the call unsecure since you'll be calling from Arizona.

**From:** Kurt Volker [redacted]  
**Sent:** Friday, April 19, 2019 1:26 PM  
**To:** [redacted]  
**Subject:** Re: FW: S approved memo 201913724, Call with SRUN Kurt Volker

**May 1, 2019 Continued**

Wednesday

**Released in Part**

Thanks -a I'll be in Arizona on May 2. So that is 7:3a local — perfect - so do confirm. Thanks - Kurt

On Fri, Apr 19, 2019 at 1:15 PM (b)(6)

(b)(6) wrote:

Ambassador, S staff would like to reschedule your call with the Secretary to Thursday, May 2 at 9:30am EDT/3:3pm Budapest time. Would you like us to confirm this time with S staff and arrange for you to do the secure call from Embassy Budapest on Thursday?

(b)(6)

**Official**

**UNCLASSIFIED**

**Official**

**UNCLASSIFIED**

**Official**

**UNCLASSIFIED**

**Official**

**UNCLASSIFIED**

**Official**

**UNCLASSIFIED**

**May 1, 2019 Continued**

Wednesday

**Released in Part**

**From:** (b)(6)  
**Sent:** Friday, April 19, 2019 1:11 PM  
**To:** (b)(6) Anderson, Christopher J  
 (b)(6) EUR-EE-DL <EUR-EE-DL@state.gov>  
**Cc:** S\_Scheduling <S\_Scheduling@state.gov>  
**Subject:** RE: S approved memo 201913724, Call with SRUN Kurt Volker

Team,

Due to scheduling conflicts, we now need to pull down this call for Wednesday. Is 9:30am on Thursday, May 2 a possibility for rescheduling this call?

Thanks,

(b)(6)

(b)(6)

Office of the Secretary

U.S. Department of State

(b)(6)

**Official - SBU****UNCLASSIFIED**

**From:** (b)(6)  
**Sent:** Thursday, April 18, 2019 12:22 PM  
**To:** (b)(6) Anderson, Christopher J  
 (b)(6) EUR-EE-DL <EUR-EE-DL@state.gov>  
**Cc:** S\_Scheduling <S\_Scheduling@state.gov>  
**Subject:** RE: S approved memo 201913724, Call with SRUN Kurt Volker

**May 1, 2019 Continued**

Wednesday

(b)(6) Ambassador Volker has confirmed the secure call for Wednesday 4/24 at 3pm. He will be calling from Embassy Budapest.

Thanks,

(b)(6)

Released in Part

**Official - SBU****UNCLASSIFIED**

**From:** (b)(6)  
**Sent:** Thursday, April 18, 2019 10:39 AM  
**To:** (b)(6) Anderson, Christopher J  
 (b)(6) EUR-EE-DL <EUR-EE-DL@state.gov>  
**Cc:** S\_Scheduling <S\_Scheduling@state.gov>  
**Subject:** RE: S approved memo 201913724, Call with SRUN Kurt Volker

(b)(6) Thank you for this. We'll revert back to you ASAP with an answer.

(b)(6)

Ukraine Desk Officer (Political)

HST 4427

(b)(6)

**Official - SBU****UNCLASSIFIED**

**From:** (b)(6)  
**Sent:** Thursday, April 18, 2019 10:32 AM  
**To:** Anderson, Christopher J (b)(6); EUR-EE-DL  
 <EUR-EE-DL@state.gov>

**May 1, 2019 Continued**

Wednesday

**Cc:** S\_Scheduling <S\_Scheduling@state.gov>

**Subject:** S approved memo 201913724, Call with SRUN Kurt Volker

Hello,

**Released in Part**

S approved memo 201913724, Call with SRUN Kurt Volker.

Please confirm **3:00pm on Wednesday, April 24** for a secure call with S.  
Let us know if a secure call is not possible.

Let us know when we can confirm.

Best,

(b)(6)

(b)(6)

Office of the Secretary

U.S. Department of State

(b)(6)

**Official**

**UNCLASSIFIED**

--

**Amb. Kurt Volker**  
Executive Director  
**McCain Institute for International Leadership**

**May 1, 2019 Continued**

Wednesday

**Arizona State University****Released in Part**

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 1800 I Street NW, Suite 600, Washington, DC 20006

(b)(6)

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--

**Amb. Kurt Volker**  
 Executive Director  
**McCain Institute for International Leadership**  
**Arizona State University**

ASU Barrett & O'Connor Center  
 1800 I Street NW, Suite 600, Washington, DC 20006

(b)(6)

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---

**Amb. Kurt Volker**  
 Executive Director  
**McCain Institute for International Leadership**  
**Arizona State University**

ASU Barrett & O'Connor Center  
 1800 I Street NW, Suite 600, Washington, DC 20006

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**May 1, 2019 Continued**  
Wednesday

**Released in Part**

--

**Amb. Kurt Volker**  
Executive Director  
**McCain Institute for International Leadership**  
**Arizona State University**

ASU Barrett & O'Connor Center  
1800 I Street NW, Suite 600, Washington, DC 20006

(b)(6)

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**May 8, 2019**  
Wednesday

8:45 AM - 9:45 AM

**S Trip Planning Mtg - Russia -- PCR (HST-7516)**  
Dear Colleagues,

(SBU) Please join me for our next trip planning meeting for the Secretary's upcoming travel to Russia. The meeting will take place in the PCR (HST-7516) on Wednesday, May 8 at 0845 EDT.

Participants at post are kindly requested to invite others as necessary.

Those joining from outside should dial in to **202-647-0817** up to 15 minutes before the scheduled start time and use access code [REDACTED]

(b)(7)(E)  
(b)(2)

AMERICAN  
OVERSIGHT

**May 8, 2019 Continued**  
Wednesday

I look forward to seeing and hearing from all of you!

Best,

**Released in Part**

Chris Klein

Deputy Executive Secretary

U.S. Department of State

(b)(6)

**May 15, 2019**  
Wednesday

10:15 AM - 11:15 AM

S Trip Planning Mtg - Berlin, Switzerland, Naples, Hague, London -- PCR (HST-7516)  
Dear Colleagues,

Please join us for a trip planning meeting for S travel May 30 - Jun 5 to Berlin, Switzerland, Naples, Hague, and London in the PCR (HST-7516) on Wednesday, May 15 at 1015 EDT. Please share with anyone we may have forgotten.

(b)(7)(E),  
(b)(2)

Participants outside DC can dial in to 202-647-0817 up to fifteen minutes before the scheduled start time and use access code [redacted]. Please note the initial caller will not hear anything until additional participants join the call. If you need any further assistance, or if the details of the call change, please contact the Operations Center at 202-647-1512.

Karen Enstrom and Eva Weigold Schultz

Deputy Executive Secretaries

(b)(6)



**May 15, 2019 Continued**

Wednesday

**May 22, 2019**

Wednesday

10:30 AM - 11:30 AM

S Trip Planning Mtg - Berlin, Switzerland, The Hague, London -- PCR (HST-7516)

**NOTE TIME CHANGE: From 0900 to 1030 EDT****Released in Part**

Dear Colleagues,

Please join us for the next trip planning meeting for S travel May 30 - Jun 5 to Berlin, Switzerland, The Hague, and London in the PCR (HST-7516) on Wednesday, May 22 at **1030 EDT**. Please share with anyone we may have forgotten.

(b)(2),  
(b)(7)(E)

Participants outside DC can dial in to 202-647-0817 up to fifteen minutes before the scheduled start time and use access code [REDACTED]. Please note the initial caller will not hear anything until additional participants join the call. If you need any further assistance, or if the details of the call change, please contact the Operations Center at 202-647-1512.

Karen Enstrom and Eva Weigold Schultz

Deputy Executive Secretaries

(b)(6)

**May 23, 2019**

Thursday

3:30 PM - 4:30 PM

Meeting with President Trump -- The White House

**From:** Anderson, Christopher J <(b)(6)>**Sent:** Tuesday, May 21, 2019 1:40 PM**To:** Kurt Volker <(b)(6)>; Volker, Kurt D**(b)(6)****Cc:** (b)(6)**(b)(6)****Subject:** FW: May 22/23 Briefing by Ukraine Pres Delegation

FYI – meeting with President Trump on Thursday, May 23 at 3:30 pm.

May 23, 2019 Continued  
Thursday

Released in Part

Official

UNCLASSIFIED

(b)(6)

From: [redacted]  
Sent: Tuesday, May 21, 2019 1:38 PM  
To: Doyle, Emma (b)(6)  
[redacted] (b)(6)  
Cc: [redacted] (b)(6)  
(b)(6) J(U) Vindman, Alexander S (Kyiv | EOP)  
[redacted] (b)(6) Anderson, Christopher J  
(b)(6) brian.mccormack (b)(6)  
(b)(6); Haidet, Michael B. EOP/WHO  
(b)(6); Almstead, Deidre  
(b)(6) Buchan, Samuel  
(b)(6) jessica.szymanski (b)(6)  
(b)(6)

Subject: Re: May 22/23 Briefing by Ukraine Pres Delegation

Works for Amb Sondland. Thanks so much! Adding a couple others from del-lead Secretary Perry's Staff to confirm his availability.

Regards,

(b)(6)

Get Outlook for iOS

From: Doyle, Emma (b)(6)  
Sent: Tuesday, May 21, 2019 7:32:33 PM  
To: [redacted] (b)(6)  
Cc: [redacted] Vindman, Alexander S  
(Kyiv | EOP); Anderson, Christopher J; brian.mccormack (b)(6)  
(b)(6) Haidet, Michael B. EOP/WHO; Almstead, Deidre  
Subject: RE: May 22/23 Briefing by Ukraine Pres Delegation

May 23, 2019 Continued

Thursday

Adding in Michael Haidet, who is coordinating scheduling.

Released in Part

Would **Thursday, May 23, 2019 at 3:30 PM (30 minutes)** work?

Best,

Emma

Emma Doyle

Principal Deputy Chief of Staff

The White House

(b)(6)

(b)(6)

**From:** (b)(6)

**Sent:** Tuesday, May 21, 2019 1:31 PM

**To:** (b)(6) Doyle, Emma

**Cc:** (b)(6)

(b)(6) Vindman, Alexander S. EOP/NSC

(b)(6) >; Anderson, Christopher J

(b)(6) brian.mccormack (b)(6)

(b)(6)

**Subject:** RE: May 22/23 Briefing by Ukraine Pres Delegation

Hi Emma,

Many thanks in advance for any updates. If you need me, my phone is

(b)(6)

and my cell is (b)(6)

Sincerely,

AMERICAN  
OVERSIGHT

May 23, 2019 Continued  
Thursday

(b)(6)

Released in Part

Energy and Economic Officer

Office of the European Union and Regional Affairs

Bureau of European and Eurasian Affairs

(b)(6)

Official - SBU

UNCLASSIFIED

From: (b)(6)

Sent: Tuesday, May 21, 2019 1:11 PM

To: Emma.K.Doyle (b)(6)

Cc: (b)(6)

(b)(6)

(U) Vindman, Alexander S (Kyiv | EOP)

(b)(6) > Anderson, Christopher J

(b)(6) brian.mccormack (b)(6)

(b)(6)

Subject: May 22/23 Briefing by Ukraine Pres Delegation

Emma,

Adding in Ambassador Sondland's control officer (b)(6) from the State Department who can coordinate the final timing for the Presidential Delegation's (Secretary Perry, Amb Volker, Amb Sondland, Senator Johnson) briefing of the President about the Ukrainian inauguration (b)(6)

(b)(5)  
Deliberative  
Process

(b)(6) Wednesday May 22 in late afternoon or Thursday May 23 in the morning works best for the delegation members.

(b)(5)  
Deliberative  
Process

Thanks for your help in advance to set this up!

May 23, 2019 Continued

Thursday

Released in Part

Regards,

(b)(6)

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May 24, 2019

Friday

11:00 AM - 12:00 PM

Meeting with Douglas Rediker, Ambassador Kurt Volker and Christopher J Anderson -- Le Pain Quotidien  
| 800 17th St NW, Washington, DC 20006 | Phone: (202) 688-0341

**From:** Douglas Rediker <(b)(6)>

**Sent:** Tuesday, May 21, 2019 3:15 PM

**To:** (b)(6)

**Cc:** Kurt Volker <(b)(6)>; Ambassador Kurt Volker

(b)(6) Anderson, Christopher J

(b)(6)

**Subject:** Re: Chat?

Friday at 11?

Douglas Rediker

[www.internationalcapitalstrategies.com](http://www.internationalcapitalstrategies.com)

Tel: (b)(6)

Mob: (b)(6)

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APPROVAL. This message contains information that may be confidential

**May 24, 2019 Continued**

Friday

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This commentary contains forecasts, estimates, opinions, and other information that are subjective. Statements concerning economic, financial, or market trends are based on current conditions, which will fluctuate. There is no guarantee that such statements will be applicable under all market conditions, especially during periods of downturn. Although this commentary is based on information and data derived from sources that we deem to be reliable and accurate, these views are not guarantees of future performance or occurrence of certain events and involve certain risks, uncertainties and assumptions that are difficult to predict. Actual events, outcomes and results may differ significantly from the views expressed. The views and opinions contained herein should not be considered as investment advice or a recommendation of any kind. All information and statistics are current as of the date stated, unless otherwise noted, and we undertake no obligation to update them.

Sent from my iPhone

On May 21, 2019, at 13:39, (b)(6)

(b)(6) wrote:

Dear Doug,

Thanks for the note. I have included the Ambassador's availability on Friday May 24:

10:30am-12:00pm

2:00pm-5:00pm

Please let me know which you decide, and I'll be happy to schedule you accordingly.

Thanks and all the best,

(b)(6)

**May 24, 2019 Continued**  
Friday

Released in Part

(b)(6)  
Executive Assistant to Ambassador Kurt Volker

**The McCain Institute for International Leadership**  
**at Arizona State University**

ASU Barrett & O'Connor Center

1800 I Street NW, Suite 600

Washington, DC 20006

Office: (b)(6)

[www.McCainInstitute.org](http://www.McCainInstitute.org)

[Twitter](#) • [Facebook](#) • [Instagram](#) • [YouTube](#)

**From:** Douglas Rediker (b)(6)  
**Sent:** Tuesday, May 21, 2019 9:07 AM  
**To:** Kurt Volker (b)(6)  
**Cc:** Ambassador Kurt Volker (b)(6) Anderson, Christopher J (b)(6)  
**Subject:** Re: Chat?

Kurt,

Safe travels!

I am around all day Friday this week (other than 9-10), so let me know if anytime that day works.

**May 24, 2019 Continued**

Friday

**Released in Part**

And definitely want to also arrange sometime more social. Let's find a way.

Doug

Douglas Rediker

[www.internationalcapitalstrategies.com](http://www.internationalcapitalstrategies.com)

Tel:

(b)(6)

Mob:

(b)(6)

-----  
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**May 24, 2019 Continued**

Friday

**Released in Part**

Sent from my iPhone

On May 21, 2019, at 09:00, Kurt Volker <(b)(6)> wrote:

Hi Doug -- on my way back from Kiev now -- get into DC late tonight. Maybe we can have coffee on Friday, or next week? And we really need to do a proper get together socially at some point, but it seems like we are in motion all the time these days...

Best - Kurt

**Amb. Kurt Volker**  
Executive Director  
**McCain Institute for International Leadership**  
**Arizona State University**

ASU Barrett & O'Connor Center  
1800 I Street NW, Suite 600, Washington, DC 20006

(b)(6)

[www.McCainInstitute.org](http://www.McCainInstitute.org)  
[Twitter](#) • [Facebook](#) • [Instagram](#) • [YouTube](#) • [LinkedIn](#)

On Mon, May 20, 2019 at 7:48 PM Douglas Rediker <(b)(6)> wrote:

Kurt,

Hope you are well. Please let me know if you have time to chat. Am anxious to hear your views on Zelensky, etc.

**May 24, 2019 Continued**  
Friday

**Released in Part**

Doug

Douglas Rediker

[www.internationalcapitalstrategies.com](http://www.internationalcapitalstrategies.com)

Tel:

(b)(6)

Mob:

(b)(6)

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Notice: PLEASE DO NOT FORWARD THIS EMAIL TO OTHERS OUTSIDE OF YOUR ORGANIZATION WITHOUT OUR PRIOR APPROVAL. This message contains information that may be confidential and/or privileged. If you are not the intended recipient, you should not use, disclose or take any action based on this message.

This commentary contains forecasts, estimates, opinions, and other information that are subjective. Statements concerning economic, financial, or market trends are based on current conditions, which will fluctuate. There is no guarantee that such statements will be applicable under all market conditions, especially during periods of downturn. Although this commentary is based on information and data derived from sources that we deem to be reliable and accurate, these views are not guarantees of future performance or occurrence of certain events and involve certain risks, uncertainties and assumptions that are difficult to predict. Actual events, outcomes and results may differ significantly from the views expressed. The views and opinions contained herein should not be considered as investment advice or a recommendation of any kind. All information and statistics are current as of the date stated, unless otherwise noted, and we undertake no obligation to update them.

**May 24, 2019 Continued**

Friday

Released in Part

Sent from my iPhone

**May 28, 2019**

Tuesday

9:00 AM - 10:00 AM

S Trip Planning Mtg - Berlin, Switzerland, The Hague, and London -- PCR (HST-7516)  
Dear Colleagues,

Please join us for the last trip planning meeting for S travel May 30 - Jun 5 to Berlin, Switzerland, The Hague, and London in the PCR (HST-7516) on Tuesday, May 28 at 0900 EDT. Please share with anyone we may have forgotten.

(b)(2),  
(b)(7)(E)

Participants outside DC can dial in to 202-647-0817 up to fifteen minutes before the scheduled start time and use access code  Please note the initial caller will not hear anything until additional participants join the call. If you need any further assistance, or if the details of the call change, please contact the Operations Center at 202-647-1512.

Karen Enstrom and Eva Weigold Schultz

Deputy Executive Secretaries

(b)(6)

**June 13, 2019**

Thursday

2:00 PM - 2:45 PM

Canceled: Ambassador Kurt Volker, Special Representative for Ukraine Negotiations -- Office  
**JWICS PROPOSAL:** Feinberg 6/7 at 8:48AM**JWICS CONFIRMATION:** Vindman 6/7 at 12:33PM**TOPIC:** U.S.-Ukraine bilateral relations

**June 13, 2019 Continued**

Thursday

**Released in Full****NSC PARTICIPANTS:** Fiona Hill, Alex Vindman**EXTERNAL PARTICIPANTS:** SA Anderson**INTERPRETATION:** NO**PHOTO:** YES**TWEET:** YES**WAVES:** Action with #EUR**PARKING:** NONE**ESCORT:** Alex Vindman**COFFEE CART:** NO**ADDITIONAL:**

**June 26, 2019**

Wednesday

12:30 PM - 2:00 PM

REMINDER! EUR Staff Assistants Farewell Bash -- 6223  
Join us at 12:30!

Released in Part

**July 9, 2019**

Tuesday

3:50 PM - 4:45 PM

Surprise Send-Off for Chris Anderson -- HST 6227

Please join us for a **surprise** send off for Chris Anderson, who is finishing his last week as Special Advisor for Ukraine Negotiations. We'll gather in SBO Murphy's suite (HST 6227) at **3:50pm tomorrow (Tuesday)** for a 4pm toast. Please feel free to pass along this invitation to other colleagues who might be interested in attending!

**July 23, 2019**

Tuesday

2:15 PM - 2:45 PM

CANCELLED Meeting w Tim Morrison -- EEOB 393  
Croft will join

**July 26, 2019**

Friday

12:30 PM - 2:00 PM

Celebrating (b)(6) - 6223

The time has come for us to say farewell to (b)(6) who has served for more than 30 years. Please join us at HST in room 6223 on July 26 from 12:30-2 to wish her well.

Please let us know if you'll attend by this Friday and also, if you wish to contribute to her gift, please stop by 6223 and see (b)(6) or (b)(6) by Friday, July 19.

(b)(6)

(b)(6)

(b)(6)

AMERICAN  
OVERSIGHT



**July 26, 2019 Continued**

Friday

**Released in Full**

**July 30, 2019**

Tuesday

8:30 AM - 9:00 AM

0830 Call to Amb Huntsman -- 6517  
KV to initiate.

**August 19, 2019**

Monday

9:00 AM - 9:30 AM

HOLD: Ambassador Volker -- Office  
JWICS PROPOSAL: Feinberg 8/16 at 10:57AM

JWICS CONFIRMATION:

TOPIC: Ukraine

NSC PARTICIPANTS: Tim Morrison, Alex Vindman

EXTERNAL PARTICIPANTS:

INTERPRETATION:

PHOTO:

TWEET:

WAVES:

PARKING:

ESCORT:

COFFEE CART:

ADDITIONAL:

**August 30, 2019**

Friday

4:00 PM - 5:00 PM

Front Office Happy Hour -- happy hour  
Note the updated time, per PDAS request.

**August 30, 2019 Continued**

Friday

**Released in Part**

On this Labor Day weekend eve, please join the EUR Front Office to toast our status as the flagship bureau, and celebrate promotions.

Our generous PDAS will provide a selection of cold beverages—read: wine--and snacks.

Thanks,

(b)(6)

(b)(6)

Special Assistant, Office of the Assistant Secretary  
Bureau of European and Eurasian Affairs

(b)(6)

**September 5, 2019**

Thursday

9:30 AM - 10:30 AM

Interagency Tandberg on for Sep 5 -- Amb Cormack's office  
Colleagues,

The Interagency SVTC will take place at the regularly scheduled time of 0930, September 5. Inshallah we will overcome connection challenges.

- APDAS Cormack will open the meeting, and the Tandberg will take place in her office. AMB Reeker will join after he finishes addressing our U.S. ambassadors in EUR.

**September 5, 2019 Continued**

Thursday

**Released in Part**

- Tim Morrison has confirmed his attendance, along with representatives from OSD/RUE and OSD/EUR/NATO.
- DASes: Your presence is welcome and not mandatory. It is likely that the 0830 EUR COMS call will run over the 60 minute mark.

Thanks to those of you whose teams have provided points. A proposed agenda is below:

- (b)(5) Deliberative Process
- 1.
  - 2.
  - 3.
  - 4.
  - 5.
  - 6.
  - 7.
  - 8.

Thanks,

(b)(6)

(b)(6)

Special Assistant, Office of the Assistant Secretary  
Bureau of European and Eurasian Affairs



**September 5, 2019 Continued**  
Thursday

(b)(6)

Released in Part



United States Department of State

Washington, D.C. 20520

January 10, 2020

Case No. F-2019-09097

American Oversight  
Daniel McGrath  
1030 15<sup>th</sup> Street NW, B255  
Washington, DC 20005

Dear Mr. McGrath:

In the course of searching for records responsive to your above-referenced Freedom of Information Act request, the Department located the enclosed documents. We have reviewed the documents and have been unable to determine whether these documents are in fact responsive to your request. Given this uncertainty and the circumstances of this case, the Department has decided to produce the enclosed documents to you today in addition to our production of documents that we have determined to be responsive. Most of the enclosed documents are already in the public domain.

The Department notes that any sharing of the enclosed documents to third parties, including posting them to the internet, should include a copy of this letter making clear that we have been unable to determine whether the documents are in fact responsive to your request. Without such a clarification, there is an unavoidable risk that the public would be misinformed, and could be misled into believing that the Department has determined these documents to be responsive to your request.

If you have any questions, your attorney may contact Trial Attorney, Josh Abbuhl at (202) 616-8366 or at [Joshua.Abbuhl@usdoj.gov](mailto:Joshua.Abbuhl@usdoj.gov). Please refer to civil action number 19-cv-3058, and FOIA case number F-2019-09097 in all correspondence regarding this case.

Sincerely,

Susan C. Weetman  
Deputy Director  
Office of Information Programs and Services

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

## FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:
- 1.4(a) Military plans, systems, or operations
  - 1.4(b) Foreign government information
  - 1.4(c) Intelligence activities, sources or methods, or cryptology
  - 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
  - 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
  - 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
  - 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
  - 1.4(h) Weapons of mass destruction
- (b)(2) Related solely to the internal personnel rules and practices of an agency
- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:
- |                |                                                             |
|----------------|-------------------------------------------------------------|
| ARMSEXP        | Arms Export Control Act, 50a USC 2411(c)                    |
| CIA PERS/ORG   | Central Intelligence Agency Act of 1949, 50 USC 403(g)      |
| EXPORT CONTROL | Export Administration Act of 1979, 50 USC App. Sec. 2411(c) |
| FS ACT         | Foreign Service Act of 1980, 22 USC 4004                    |
| INA            | Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f) |
| IRAN           | Iran Claims Settlement Act, Public Law 99-99, Sec. 505      |
- (b)(4) Trade secrets and confidential commercial or financial information
- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product
- (b)(6) Personal privacy information
- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual
- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions
- (b)(9) Geological and geophysical information and data, including maps, concerning wells

## Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester

**Released in Part**

[7/12/19, 10:08:23 PM] NSC: Messages to this group are now secured with end-to-end encryption.  
 [7/12/19, 10:08:23 PM] Chris Anderson created group NSC  
 [7/12/19, 10:08:24 PM] Chris Anderson added you  
 [7/12/19, 10:10:47 PM] Chris Anderson: FYI - Alex told us that request for phone call went up to Bolton. [REDACTED]

(b)(5)  
Deliberative  
Process

(b)(5)  
Deliberative  
Process

(b)(5)  
Deliberative  
Process

[7/12/19, 10:10:57 PM] Chris Anderson: Catherine will hopefully have more later. [REDACTED]

(b)(5)  
Deliberative  
Process

[7/12/19, 10:14:52 PM] Chris Anderson: [REDACTED]  
 [REDACTED] - Catherine can chime in after she finishes up at the White House.  
 [7/12/19, 11:03:19 PM] Chris Anderson: attached: 00000008-PHOTO-2019-07-12-23-03-19.jpg>

(b)(5)  
Deliberative  
Process

(b)(5)  
Deliberative  
Process

[REDACTED] but AV is happy to get your input on what to suggest back.

(b)(5)  
Deliberative  
Process

[7/12/19, 11:07:19 PM] Kurt Volker: Ok - will do  
 [7/12/19, 11:09:15 PM] Chris Anderson: Here is the letter itself.  
 [7/12/19, 11:09:23 PM] Chris Anderson: attached: 00000013-PHOTO-2019-07-12-23-09-23.jpg>

AMERICAN  
OVERSIGHT

**Released in Part**

I think that is one on one. If not, feel free to join —  
I'll ask Danylyuk

But probably not chally I think

Got it. One on one would be good.

Are you also seeing Yermak?

Also - Hecker has no time on Wednesday - he could  
maybe do a meeting at 2:45 on Thursday assuming  
his meeting with C doesn't run long.

Ok — I think I'll miss him then

Yes on Yermak — Wednesday am coffee

(b)(5) Deliberative Process

So you need me to cancel the Thursday Hecker  
meeting? What about doing 30 minutes?

And Yermak is joining the Danilyuk Bolton meeting.

7/8/19, 10:57 PM

Hi -- I can do Hecker up until 10:45am on Thursday,  
but then need to head to the airport. Can he do  
morning? even breakfast? I have a 9am phone call  
for 20 min, but other than that clear...

(b)(5) Deliberative Process

7/9/19, 7:59 AM

We are at the table in the restaurant

Great - just park és

Parked

7/9/19, 11:13 AM

Hecker can do 8-830 st Fairmont

7/9/19, 3:32 PM

Does 8-830 on Thursday work for Hecker? Seeing  
Germans now...

Yes — that's great — I can do that

7/11/19, 11:25 AM

Released in Part

(b)(5) Deliberative Process

(b)(5) Deliberative Process

I just spoke w Bill.

(b)(5) Deliberative Process

(b)(5) Deliberative Process

(b)(5) Deliberative Process

(b)(5) Deliberative Process

7/12/19 9:07 AM

Ok

Read 7/12/19

**Released in Full**

[9/8/19, 11:20:08 AM] Ukraine: Messages to this group are now secured with end-to-end encryption.

[9/8/19, 11:20:08 AM] Gordon Sondland created group Ukraine

[9/8/19, 11:20:09 AM] Gordon Sondland added you

[9/8/19, 11:20:32 AM] Gordon Sondland: Guys, multiple convos with Ze, Potus. Lets talk

[9/8/19, 11:21:41 AM] Bill Taylor: Now is fine with me

[9/8/19, 11:26:13 AM] Kurt Volker: Try again " could not hear

[9/8/19, 11:40:11 AM] Bill Taylor: Gordon and I just spoke. I can brief you if you and Gordon don't connect

[9/8/19, 12:37:28 PM] Bill Taylor: The nightmare is they give the interview and don't get the security assistance. The Russians love it. (And I quit.)

[9/8/19, 5:04:16 PM] Kurt Volker: I'm not in the loop. Talk Monday?

[9/9/19, 12:16:42 AM] Gordon Sondland: Call at your convenience or let me know a good time. I am in Brussels

[9/9/19, 12:20:32 AM] Kurt Volker: Will do - just getting started here in Georgia " will step out and call in an hour or so a thanks!

[9/9/19, 12:31:06 AM] Bill Taylor: The message to the Ukrainians (and Russians) we send with the decision on security assistance is key. With the hold, we have already shaken their faith in us. Thus my nightmare scenario.

[9/9/19, 12:34:44 AM] Bill Taylor: Counting on you to be right about this interview, Gordon.

[9/9/19, 12:37:16 AM] Gordon Sondland: Bill, I never said I was "right" . I said we are where we are and believe we have identified the best pathway forward. Lets hope it works.

[9/9/19, 12:47:11 AM] Bill Taylor: As I said on the phone, I think it's crazy to withhold security assistance for help with a political campaign.

[9/9/19, 5:19:35 AM] Gordon Sondland: Bill, I believe you are incorrect about President Trump's intentions. The President has been crystal clear: no quid pro quo's of any kind. The President is trying to evaluate whether Ukraine is truly going to adopt the transparency and reforms that President Zelensky promised during his campaign. I suggest we stop the back and forth by text. If you still have concerns, I recommend you give Lisa Kenna or S a call to discuss them directly. Thanks.

[9/9/19, 5:47:09 AM] Bill Taylor: I agree

**Released in Full**

Non Responsive

[9/1/19, 12:08:57 PM] Bill Taylor: Are we now saying that security assistance and WH meeting are conditioned on investigations?  
[9/1/19, 12:42:29 PM] Gordon Sondland: Call me  
[9/3/19, 11:49:46 AM] Bill Taylor: Defense Minister Zagorodnyuk is calling you both about security assistance. I think Kurt talked with him last night.  
[9/4/19, 9:55:18 AM] Kurt Volker: Yes " we had a good talk " Bill " I'll call you later today  
[9/4/19, 11:08:05 AM] Bill Taylor: Sounds good. Am heading to the airport to pick up Senators Johnson and Murphy. Messages for them?  
[9/4/19, 12:42:20 PM] Kurt Volker: Thank you for the letter!! And push for WH visit...  
[9/4/19, 12:42:44 PM] Kurt Volker: Being denied visas for Russia is a badge of honor  
[9/4/19, 12:44:03 PM] Kurt Volker: Even more convinced of our assessment after inauguration" zelenskyy is the real deal and he needs our support  
[9/4/19, 3:22:02 PM] Bill Taylor: Made those points. They are in exactly the right place.  
[9/12/19, 12:08:40 AM] Kurt Volker: Hi " got an email overnight from SASC " says hold is lifted. Let's verify...  
[9/12/19, 12:10:19 AM] Bill Taylor: Got the same message. Checking with NSC  
[9/12/19, 12:10:49 AM] Kurt Volker: Great - thanks! Let me know what you hear!

Non Responsive



<b>Released in Full</b>
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Non Responsive
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[8/13/19, 9:20:21 AM] Kurt Volker: You free?

[8/13/19, 10:26:44 AM] Kurt Volker: Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, including those involving Burisma and the 2016 U.S. elections, which in turn will prevent the recurrence of this problem in the future.

[8/13/19, 10:27:20 AM] Gordon Sondland: Perfect. Lets send to Andrey after our call

[8/13/19, 10:27:53 AM] Kurt Volker: Yes

[8/13/19, 10:38:57 AM] Gordon Sondland: â€ŽMissed voice call

[8/13/19, 10:39:27 AM] Gordon Sondland: â€ŽMissed group voice call

[8/13/19, 10:42:20 AM] Gordon Sondland: â€ŽMissed voice call

[8/13/19, 10:49:20 AM] Gordon Sondland: â€ŽMissed voice call

[8/13/19, 2:44:59 PM] Gordon Sondland: U going to call Andrey first tomorrow?

[8/15/19, 7:26:36 AM] Gordon Sondland: Hi, did you connect with Andrey?

[8/15/19, 7:34:14 AM] Kurt Volker: Not yet - will talk w bill and then call him later today. Want to know our status on asking them to investigate

[8/15/19, 7:51:49 AM] Gordon Sondland: Good thought

[8/17/19, 2:48:40 PM] Gordon Sondland: Yermak just tapped on me about dates. Havent responded. Any updates?

[8/17/19, 3:02:55 PM] Kurt Volker: Hi â€Ž Iâ€™ve got nothing. Bill had no info on requesting an investigation â€Ž calling a friend at DOJ (Bruce Schwartz)

[8/17/19, 3:06:19 PM] Gordon Sondland: Do we still want Ze to give us an unequivocal draft with 2016 and Boresma?

[8/17/19, 4:34:21 PM] Kurt Volker: Thatâ€™s the clear message so far ...

[8/17/19, 4:34:39 PM] Kurt Volker: Iâ€™m hoping we can put something out there that causes him to respond with that

[8/17/19, 4:41:09 PM] Gordon Sondland: Unless you think otherwise I will return Andreys call tomorrow and suggest they send us a clean draft.

[8/17/19, 6:57:11 PM] Kurt Volker: Letâ€™s talk tomorrow my morning so you have all latest. We spoke for about 30 min today

[8/17/19, 6:58:05 PM] Gordon Sondland: Deal

[8/18/19, 7:13:04 AM] Gordon Sondland: Call when up

[8/18/19, 10:11:00 AM] Kurt Volker: Hi Gordon â€Ž am free anytime - Kurt

[8/19/19, 8:56:25 AM] Gordon Sondland: Drove the â€Žlarger issueâ€Ž home with Yermak. Not about just a meeting but the relationship per se. please convey to John. Also Yermak raised the Bolton visit and said he would appreciate us both joining the meetings. Kindly convey. Thx

[8/19/19, 7:27:50 PM] Gordon Sondland: â€ŽMissed voice call

[8/19/19, 7:27:59 PM] Gordon Sondland: â€ŽMissed voice call

[8/23/19, 10:49:20 AM] Gordon Sondland: â€ŽMissed voice call

**Released in Full**

[7/7/19, 3:08:45 PM] Bill Taylor: My question is about Danyliuk-Prystaiko -- have you been working with both on the phone call? Did Prystaiko and Ze get it when you laid out what needs to happen on the call? Should I follow up with Prystaiko?

[7/7/19, 3:09:30 PM] Bill Taylor: Or with Bohdan?

[7/7/19, 4:30:24 PM] Kurt Volker: Hi bill -- sorry -- just saw this -- I can talk now or first thing tomorrow if you can - best Kurt

[7/7/19, 4:32:31 PM] Kurt Volker: Spoke w Zelensky, bogdan and Prystaiko in Toronto. Have spoke w Danylyuk by phone and will see him in DC Tuesday. There does seem to be some disconnect on their side -- in addition to our side! Best - Kurt

[7/7/19, 11:21:12 PM] Bill Taylor: Yup. Can I tell the three of them -- Prystaiko, Danyliuk and Bohdan -- that we can schedule the phone call if Ze is ready to say that he is not interfering, one way or another, in any investigations? I would like to talk about it -- what's a good time for you today?

[7/8/19, 9:12:25 AM] Bill Taylor: Let's talk today. I will be asking to see Bohdan (probably with Vadym) to try to nail down this end of the phone call. They didn't say that they were on board for the call when you talked to them in Toronto?

[7/8/19, 9:12:30 AM] Kurt Volker: Hi bill - I can call around 9:30/9:40 dc time of ok?

[7/8/19, 9:14:05 AM] Kurt Volker: Zelensky was on board - bogdan was skeptical. Worried that a call substitutes for a visit. I pulled the two of them aside at the end and explained the Giuliani factor...

[7/8/19, 9:16:50 AM] Bill Taylor: Live interview here 4:30 here, 9:30 there. How about 6 here, 11 there? Or pick a later time today.

[7/8/19, 9:31:17 AM] Kurt Volker: Great -- I can do 1:30pm here / 8:30 for you -- does that work?

[7/8/19, 10:01:37 AM] Bill Taylor: Perfectly

[7/8/19, 1:29:42 PM] Bill Taylor: Calling shortly

Non Responsive

**Released in Full**

Non Responsive

[8/9/19, 10:36:23 AM] Kurt Volker: Got a minute? Best - Kurt  
 [8/9/19, 10:56:31 AM] Gordon Sondland: Missed voice call  
 [8/9/19, 5:35:53 PM] Gordon Sondland: Morrison ready to get dates as soon as Yermak confirms.  
 [8/9/19, 5:46:21 PM] Kurt Volker: Excellent!! How did you sway him? :)  
 [8/9/19, 5:47:34 PM] Gordon Sondland: Not sure i did. I think potus really wants the deliverable  
 [8/9/19, 5:48:00 PM] Kurt Volker: But does he know that?  
 [8/9/19, 5:48:09 PM] Gordon Sondland: Yep  
 [8/9/19, 5:48:37 PM] Gordon Sondland: Clearly lots of convos going on  
 [8/9/19, 5:48:38 PM] Kurt Volker: Ok then that's good it's coming from two separate sources  
 [8/9/19, 5:51:18 PM] Gordon Sondland: To avoid misunderstandings, might be helpful to ask Andrey for a draft statement (embargoed) so that we can see exactly what they propose to cover. Even though Ze does a live presser they can still summarize in a brief statement. Thoughts?  
 [8/9/19, 5:51:42 PM] Kurt Volker: Agree!  
 [8/10/19, 11:58:56 AM] Gordon Sondland: Anything from Andrey?  
 [8/10/19, 1:22:51 PM] Kurt Volker: Not yet " will give him some time  
 [8/10/19, 1:23:24 PM] Gordon Sondland: I briefed Ulrich. All good  
 [8/10/19, 5:12:44 PM] Kurt Volker: This came in from Andrey " I suggested we talk at my 10am / his 5pm tomorrow...  
 [8/10/19, 5:12:49 PM] Kurt Volker: Hi Kurt. Please let me know when you can talk. I think it's possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logic to do after we receive a confirmation of date. We inform about date of visit and about our expectations and our guarantees for future visit. Let discuss it  
 [8/10/19, 5:14:08 PM] Gordon Sondland: If that's 10am Eastern, I can join you if you wish.  
 [8/10/19, 5:14:31 PM] Kurt Volker: Yes " hoping you can!  
 [8/10/19, 5:14:51 PM] Gordon Sondland: Great. You want to call State ops or shall I?  
 [8/10/19, 5:15:05 PM] Kurt Volker: No " I'll just do via what's App  
 [8/10/19, 5:15:28 PM] Gordon Sondland: Perfect. Talk tomorrow.  
 [8/11/19, 9:48:53 AM] Kurt Volker: Hi Gordon " ready in 10 min?  
 [8/11/19, 9:49:08 AM] Gordon Sondland: Yes

**Released in Part**

[5/27/19, 4:25:18 PM] Christopher J. Anderson: Ah... the hub call is in a studio across the street. Would probably need 10 minutes to be safe. Should we postpone or start early? And want to reiterate that you can't do it?

[5/27/19, 4:25:39 PM] Ambassador Kurt Volker: We could start at 8:45am

[5/27/19, 4:26:12 PM] Ambassador Kurt Volker: Yes — have told that to bill and to reeker. And talking to reeker this evening

[5/27/19, 10:15:26 PM] Christopher J. Anderson: All set for an 845 start. I'll let you know where to meet in the morning.

[5/27/19, 11:27:46 PM] Ambassador Kurt Volker: Great - thanks!

[5/28/19, 6:53:58 AM] Christopher J. Anderson: Matthew will meet is at 830 at the C street lobby to take us over and get you prepared.

[5/28/19, 7:42:41 AM] Ambassador Kurt Volker: Ok - thanks!

(b)(5) Deliberative Process

[5/28/19, 12:05:09 PM] Ambassador Kurt Volker: Yes — that is a good reason / good point. Let me discuss w Prystaiko and danyliuk.

(b)(5) Deliberative Process

[5/29/19, 5:07:44 PM] Ambassador Kurt Volker: Ok... but let's try to get a visit date still....

[5/29/19, 5:08:34 PM] Christopher J. Anderson: Yup. And will also flag the SVTC with French/Germans. Want to see if Fiona is free before or after?

[5/29/19, 5:08:49 PM] Ambassador Kurt Volker: Sure — that would be good. Thx - kv

(b)(5) Deliberative Process

**Released in Full**

[5/30/19, 12:44:32 PM] Christopher J. Anderson: I'll bring a copy to the meeting today. It's on the high side.

Non Responsive

Released in Part

Non Responsive

[6/21/19, 9:16:21 AM] Ambassador Kurt Volker: Yes — 10 min?  
[6/21/19, 9:16:36 AM] Christopher J. Anderson: Perfect.  
[6/21/19, 1:04:04 PM] Christopher J. Anderson: Prystaiko's office said S-L is preferred option.  
[6/21/19, 1:04:12 PM] Ambassador Kurt Volker: Ok  
[6/21/19, 1:04:34 PM] Christopher J. Anderson: Might be good to touch base over weekend if you have time. I'll let Taylor know...  
[6/21/19, 1:11:41 PM] Ambassador Kurt Volker: Just texted Vadym. Happy to talk w bill this weekend  
[6/21/19, 1:11:45 PM] Ambassador Kurt Volker: And Vadym  
[6/21/19, 1:12:37 PM] Christopher J. Anderson: Sorry - I meant you should touch base with Vadym and that I'll let Taylor know what's going on.  
[6/21/19, 1:13:05 PM] Ambassador Kurt Volker: Ok — good. I'll let you know what he says

(b)(5)  
Deliberative  
Process

Non Responsive

(b)(5)  
Deliberative  
Process

Non Responsive

**United States Department of State***Washington, D.C. 20520*

January 10, 2020

Case No: F-2019-09097

American Oversight  
Daniel McGrath  
1030 15<sup>th</sup> Street NW, B255  
Washington, DC 20005

Dear Mr. McGrath:

This is in response to your request under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552, referenced above, dated September 11, 2019. In conjunction with FOIA case number F-2020-00309, the Department reviewed over 300 potentially responsive pages. The Department identified 19 pages responsive to your request and has determined that 12 pages may be released in full, and 7 pages may be released in part.

An enclosure explains the FOIA exemptions and other grounds for withholding material. Where we have made redactions, the applicable FOIA exemptions are marked on each document. In some cases, two or more exemptions may apply to the same document. All non-exempt material that is reasonably segregable from exempt material has been released in the enclosed pages.

The processing of your request remains ongoing. If you have any questions, your attorney may contact Trial Attorney, Josh Abbuhl at (202) 616-8366 or at [Joshua.Abbuhl@usdoj.gov](mailto:Joshua.Abbuhl@usdoj.gov). Please refer to civil action number 19-cv-3058, and FOIA case number F-2019-09097 in all correspondence regarding this case.

Sincerely,

A handwritten signature in dark ink, appearing to read "Susan C. Weetman".

Susan C. Weetman  
Deputy Director  
Office of Information Programs and Services

Enclosures: As stated.

The Freedom of Information Act (5 USC 552)

## FOIA Exemptions

- (b)(1) Information specifically authorized by an executive order to be kept secret in the interest of national defense or foreign policy. Executive Order 13526 includes the following classification categories:

- 1.4(a) Military plans, systems, or operations
- 1.4(b) Foreign government information
- 1.4(c) Intelligence activities, sources or methods, or cryptology
- 1.4(d) Foreign relations or foreign activities of the US, including confidential sources
- 1.4(e) Scientific, technological, or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f) U.S. Government programs for safeguarding nuclear materials or facilities
- 1.4(g) Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans, or protection services relating to US national security, including defense against transnational terrorism
- 1.4(h) Weapons of mass destruction

- (b)(2) Related solely to the internal personnel rules and practices of an agency

- (b)(3) Specifically exempted from disclosure by statute (other than 5 USC 552), for example:

ARMSEXP	Arms Export Control Act, 50a USC 2411(c)
CIA PERS/ORG	Central Intelligence Agency Act of 1949, 50 USC 403(g)
EXPORT CONTROL	Export Administration Act of 1979, 50 USC App. Sec. 2411(c)
FS ACT	Foreign Service Act of 1980, 22 USC 4004
INA	Immigration and Nationality Act, 8 USC 1202(f), Sec. 222(f)
IRAN	Iran Claims Settlement Act, Public Law 99-99, Sec. 505

- (b)(4) Trade secrets and confidential commercial or financial information

- (b)(5) Interagency or intra-agency communications forming part of the deliberative process, attorney-client privilege, or attorney work product

- (b)(6) Personal privacy information

- (b)(7) Law enforcement information whose disclosure would:
- (A) interfere with enforcement proceedings
  - (B) deprive a person of a fair trial
  - (C) constitute an unwarranted invasion of personal privacy
  - (D) disclose confidential sources
  - (E) disclose investigation techniques
  - (F) endanger life or physical safety of an individual

- (b)(8) Prepared by or for a government agency regulating or supervising financial institutions

- (b)(9) Geological and geophysical information and data, including maps, concerning wells

## Other Grounds for Withholding

- NR Material not responsive to a FOIA request excised with the agreement of the requester



Released in Part
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[8/9/19, 2:24:21 PM] "You created group "Andrey/Gordon/Kurt"  
 [8/9/19, 2:24:21 PM] Andrey/Gordon/Kurt: "Messages to this group are now secured with end-to-end encryption."  
 [8/9/19, 2:24:57 PM] Kurt Volker: Hi Andrey" we have all consulted here, including with Rudy. Can you do a call later today or tomorrow your afternoon time? Kurt  
 [8/9/19, 2:25:40 PM] Gordon Sondland: I have a call sched at 3pm Eastern for the three of us. Ops will call  
 [8/13/19, 10:11:50 AM] Kurt Volker: Hi Andrey " we spoke with Rudy. When is good to call you?  
 [8/13/19, 10:19:20 AM] Andrey Yermak: Hi Kurt  
 [8/13/19, 10:19:50 AM] Gordon Sondland: I can talk now  
 [8/13/19, 10:20:54 AM] Andrey Yermak: I'm in Israel  
 [8/13/19, 10:21:20 AM] Gordon Sondland: Important. Do you have 5 mins  
 [8/13/19, 10:21:21 AM] Andrey Yermak: I can speak in 10-15 min  
 [8/13/19, 10:22:55 AM] Gordon Sondland: Ok I will have our operator dial us in at 4:35 Brussels time  
 [8/13/19, 10:23:14 AM] Kurt Volker: Can we do this one on what's App?  
 [8/13/19, 10:23:31 AM] Gordon Sondland: Ok, fine. Can you initiate?  
 [8/13/19, 10:23:41 AM] Kurt Volker: Yes - will do  
 [8/13/19, 10:24:17 AM] Andrey Yermak: Ok  
 [8/13/19, 12:11:15 PM] Kurt Volker: Hi Andrey " good talking " following is text with insert at the end for the 2 key items. We will work on official request  
 [8/13/19, 12:11:19 PM] Kurt Volker: Special attention should be paid to the problem of interference in the political processes of the United States, especially with the alleged involvement of some Ukrainian politicians. I want to declare that this is unacceptable. We intend to initiate and complete a transparent and unbiased investigation of all available facts and episodes, including those involving Burisma and the 2016 U.S. elections, which in turn will prevent the recurrence of this problem in the future.

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[7/10/19, 7:57:58 AM] Kurt Volker: Good grief. Please tell Vadym to let the official USG representatives speak for the U.S. lutsenko has his own self-interest here...

[7/10/19, 7:58:37 AM] Bill Taylor: Exactly what I told them.

[7/10/19, 7:59:41 AM] Bill Taylor: And I said that RG is a private citizen.

[7/10/19, 11:43:41 AM] Bill Taylor: I briefed Ulrich this afternoon on this.

[7/10/19, 2:26:06 PM] Bill Taylor: Eager to hear if your meeting with Danyliuk and Bolton resulted in a decision on a call.

[7/10/19, 10:26:13 PM] Bill Taylor: How did the meeting go?

[7/10/19, 10:29:44 PM] Kurt Volker: Not good â€” letâ€™s talk â€” kv

[7/10/19, 10:31:20 PM] Bill Taylor: Just called. You are on the phone.

[7/14/19, 10:07:27 AM] Gordon Sondland: Everyone is now focused on making the Potus ZE call happen prior to 7/21

[7/14/19, 10:09:33 AM] Kurt Volker: Anything new you have heard?

[7/14/19, 10:12:57 AM] Gordon Sondland: Tim Morrison is also tracking now. Good sign

[7/14/19, 10:16:46 AM] Bill Taylor: They will make it happen whenever, but they want him in an office, ideally his, so the connection and interpretation are clear. Any indication of timing most welcome

[7/15/19, 10:10:22 AM] Bill Taylor: We keep getting readouts of the Danyliuk-Bolton meeting that predict no phone call or meeting any time soon. This can't be my message to Ze. How to proceed?

[7/15/19, 10:31:05 AM] Gordon Sondland: Talking to NSC tomorrow at 8:30 eastern

[7/16/19, 12:47:13 PM] Bill Taylor: Make any progress?

[7/17/19, 10:46:23 AM] Bill Taylor: Danyliuk just asked if there was any news from the WH. Any update?

[7/17/19, 10:47:01 AM] Gordon Sondland: I put in a call to Potus and am waiting for a return

[7/17/19, 10:47:44 AM] Bill Taylor: Excellent -- thanks, Gordon

[7/18/19, 10:19:54 AM] Bill Taylor: OMB on a SVTS just now said that all security assistance to Ukraine is frozen, per a conversation with Mulvaney and POTUS. Over to you.

[7/18/19, 11:07:08 AM] Gordon Sondland: All over it

[7/19/19, 10:19:10 AM] Bill Taylor: Can we marshal our forces to get a congratulatory phone call from POTUS to Ze mid to late next week, assuming the election goes well and Servant of the People does well?

[7/19/19, 11:31:03 AM] Gordon Sondland: Talked to WH. This is moving but post election

[7/19/19, 11:49:51 AM] Bill Taylor: If we can get a congratulatory call post election, that could begin to establish the relationship?

[7/19/19, 4:49:42 PM] Kurt Volker: Can we three do a call tomorrow â€” say noon WASHINGTON?

[7/19/19, 6:50:29 PM] Gordon Sondland: Looks like Potus call tomorrow. I spike directly to Zelensky and gave him a full briefing. Heâ€™s got it.

[7/19/19, 6:52:57 PM] Gordon Sondland: Sure!

[7/19/19, 7:01:22 PM] Kurt Volker: Good. Had breakfast with Rudy this morning â€” teeing up call w Yermak Monday. Must have helped.

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Most imp't is for Zelensky to say that he will help investigation & address any specific personnel issues if there are any

[7/19/19, 11:53:55 PM] Bill Taylor: Good idea for us to check in at noon Washington time. I just heard that the POTUS call that had been scheduled for 1500 Kyiv time today has been put on hold pending the outcome of the election tomorrow. Is that what you hear?

[7/20/19, 4:52:58 AM] Bill Taylor: If possible, I'd like to at least know when these are scheduled. I can at least reinforce what you are doing.

[7/20/19, 4:53:15 AM] Gordon Sondland: Call me Bill thx

[7/20/19, 10:41:01 AM] Bill Taylor: Do we need to talk at noon Washington time?

[7/20/19, 10:45:50 AM] Kurt Volker: Yes - I'm available. Not sure if Gordon can or not but let's plan on it, and we'll loop Gordon in if we can

[7/20/19, 11:33:00 AM] Bill Taylor: Kupperman (sp?) wants to talk to Danyliuk secure so I am meeting taking him to my office. Can we reschedule?

[7/20/19, 11:37:11 AM] Kurt Volker: Absolutely

[7/20/19, 11:37:19 AM] Kurt Volker: Anytime today will work for me

[7/20/19, 11:46:20 AM] Bill Taylor: Maybe after the Kupperman-Danyliuk call? Around 9 my time tonight?

[7/20/19, 12:29:14 PM] Kurt Volker: Ok

[7/20/19, 1:48:41 PM] Bill Taylor: Just finished with Danyliuk. Will be in the car in 10 minutes. Call then?

[7/20/19, 1:49:03 PM] Kurt Volker: Yes - good

[7/20/19, 2:27:04 PM] Bill Taylor: Call now?

[7/21/19, 1:45:54 AM] Bill Taylor: Gordon, one thing Kurt and I talked about yesterday was Sasha Danyliuk's point that President Zelenskyy is sensitive about Ukraine being taken seriously, not merely as an instrument in Washington domestic, reelection politics.

[7/21/19, 4:45:44 AM] Gordon Sondland: Absolutely, but we need to get the conversation started and the relationship built, irrespective of the pretext. I am worried about the alternative.

[7/21/19, 5:21:47 AM] Bill Taylor: So, the call tomorrow can be a positive step.

[7/22/19, 12:15:55 AM] Bill Taylor: Good, pretty long meeting -- both one-on-one and with Bohdan, Sasha, Yermak, Razumkov -- with the president at his campaign headquarters last night. Interested in both the call and meeting. I couldn't be specific.

[7/22/19, 12:17:16 AM] Bill Taylor: Sounds like Washington is thinking about a congratulatory call in the next couple of days --

(b)(5) Deliberative Process
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[7/22/19, 12:20:59 AM] Bill Taylor: Very good election result for Zelenskyy and us. Likely a young, Western-oriented prime minister. Ze likely in coalition with Vakarchuk (with whom I have met one-on-one twice in the last three days).

[7/22/19, 12:22:01 AM] Gordon Sondland: So Monday call was just rumor?

[7/22/19, 12:28:22 AM] Bill Taylor: Doesn't sound like from either side that it was actually scheduled.

[7/22/19, 8:38:05 AM] Kurt Volker: Yermak thinks Call is at 6pm Kiev today. Bill any idea? Should I call sitroom?

[7/22/19, 8:40:38 AM] Gordon Sondland: Good idea

**Released in Full**

Non Responsive

[7/10/19, 3:53:48 PM] Gordon Sondland: â€ŽMissed voice call  
 [7/10/19, 9:57:14 PM] Kurt Volker: Hi Gordon â€” sorry I missed you earlier. Can talk tomorrow early morning? Kurt  
 [7/10/19, 10:24:41 PM] Gordon Sondland: Will call  
 [7/10/19, 10:30:45 PM] Gordon Sondland: â€ŽMissed voice call  
 [7/22/19, 4:27:55 PM] Kurt Volker: Orchestrated a great phone call w Rudy and Yermak. They are going to get together when Rudy goes to Madrid in a couple of weeks.  
 [7/22/19, 4:28:08 PM] Kurt Volker: In the meantime, Rudy is now advocating for phone call  
 [7/22/19, 4:28:26 PM] Kurt Volker: I have call into Fionaâ€™s replacement and will call Bolton if needed.  
 [7/22/19, 4:28:48 PM] Kurt Volker: But I can tell Bolton and you can tell Mick that Rudy agrees on a call, if that helps  
 [7/22/19, 4:30:10 PM] Gordon Sondland: I talked to Tim Morrison. (Fionaâ€™s replacement). He is pushing but feel free as well.

We still meeting in Kyiv Fri?

[7/22/19, 4:30:35 PM] Kurt Volker: Yes â€” Morrison. Weâ€™re talking in 5

[7/22/19, 4:31:05 PM] Kurt Volker: And yes â€” do come to kyiv! Iâ€™ll go east on Thursday (welcome there too) and go to kyiv on Friday.

[7/22/19, 4:32:00 PM] Gordon Sondland: Tim is a good guy. Tell him we are in touch and synced. I wont make East but will be in Kyiv Thu night/all day Fri

[7/22/19, 4:33:52 PM] Kurt Volker: Great!

Non Responsive

**Released in Full**

[9/20/19, 11:53:38 PM] Gordon Sondland: Just saw this. Call at convenience. In BRU. NY on Sun  
[9/22/19, 12:03:58 PM] Kurt Volker: Landed yet? Will call  
[9/22/19, 12:04:38 PM] Gordon Sondland: Yes, can u meet with S this afternoon?  
[9/22/19, 12:05:02 PM] Kurt Volker: Iâ€™m in DC â€” but would be happy to join by phone  
[9/22/19, 3:54:32 PM] Gordon Sondland: U dialing in?  
[9/22/19, 3:54:44 PM] Gordon Sondland: At 5:45  
[9/22/19, 3:58:51 PM] Kurt Volker: Yes â€” secure from state via ops  
[9/22/19, 7:21:09 PM] Kurt Volker: Spoke w Rudy per guidance from S. He said he will use the statement and talk w John Solomon. Urged me to do so as well. Will stick with what we discussed. If you are with S - please pass along. Thanks!

Non Responsive

**Released in Full**

Non Responsive

[7/23/19, 1:16:05 PM] Andrey Yermak: We have breakfast and lunch with Gordon Friday?  
 [7/23/19, 1:16:54 PM] Andrey Yermak: And phone call between Presidents Thursday?  
 [7/23/19, 1:18:52 PM] Kurt Volker: I am pretty sure the phone call is going forward for Thursday â€” will keep monitoring.  
 [7/23/19, 1:19:38 PM] Kurt Volker: For Friday â€” I could do 7:30am at the Hyatt. Alternatively, are you free Saturday morning?  
 [7/23/19, 1:20:01 PM] Kurt Volker: I think yes on Friday lunch â€” will check schedule on that  
 [7/23/19, 2:27:33 PM] Andrey Yermak: Up to you, Iâ€™m with pleasure and Friday and Saturday. Phone call still not confirm  
 [7/23/19, 2:31:49 PM] Andrey Yermak: When you can, let me know, I need 2 min by phone  
 [7/23/19, 2:33:05 PM] Kurt Volker: Ok â€” in about an hour?  
 [7/23/19, 2:33:14 PM] Kurt Volker: And call now being set for Friday I think  
 [7/23/19, 2:33:22 PM] Andrey Yermak: Super  
 [7/23/19, 2:33:36 PM] Kurt Volker: And Iâ€™m told president Z now available Thursday to meet w me, so I will rearrange schedule  
 [7/23/19, 2:33:54 PM] Andrey Yermak: Yes  
 [7/23/19, 2:34:51 PM] Andrey Yermak: Letâ€™s discuss in hour  
 [7/23/19, 2:35:10 PM] Kurt Volker: Ok  
 [7/25/19, 8:36:45 AM] Kurt Volker: Good lunch - thanks. Heard from White House â€” assuming President Z convinces trump he will investigate / â€” get to the bottom of what happenedâ€” in 2016, we will nail down date for visit to Washington. Good luck! See you tomorrow - kurt  
 [7/25/19, 10:15:06 AM] Andrey Yermak: Phone call went well. President Trump proposed to choose any convenient dates. President Zelenskiy chose 20,21,22 September for the White House visit. Thank you again for your help! Please remind Mr. Mayor to share the Madridâ€™s dates  
 [7/25/19, 10:16:42 AM] Kurt Volker: Great â€” thanks and will do!  
 â€” [7/26/19, 6:22:26 AM] Kurt Volker: 180730 Deployment Timeline â€”  
 â€” 2 pages â€” attached: 00000075-180730 Deployment Timeline.pdf>

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[7/26/19, 6:25:23 AM] Kurt Volker: Hi Andrey â€œ good meeting! Here is the paper we did last year â€œ intended to be an annex to a UN Security Council Resolution about a peacekeeping force.

[7/26/19, 6:26:00 AM] Kurt Volker: Also â€œ Rudy Giuliani says he arrives in Madrid on August 1 and departs August 5.

[7/27/19, 3:01:16 AM] Andrey Yermak: Good morning

[7/27/19, 3:01:42 AM] Andrey Yermak: I will be in Hyatt in 7 min

[8/1/19, 2:23:52 PM] Kurt Volker: Hi Andreyâ€œ just checking in â€œ how is everything? On track for Madrid? Visit to DC? Kurt

[8/1/19, 3:36:03 PM] Andrey Yermak: Hi Kurt. Now in plane from Zurich to Madrid. Will call you after landing

[8/2/19, 1:27:31 PM] Andrey Yermak: â€œMissed voice call

[8/2/19, 1:27:42 PM] Andrey Yermak: Hi Kurt

[8/2/19, 1:28:19 PM] Andrey Yermak: My meeting with Mr.Mayor was very good

[8/2/19, 1:30:36 PM] Andrey Yermak: We asked for White House meeting during week start 16 Sept. Waiting for confirmation. May be you know the date?

[8/2/19, 1:30:46 PM] Andrey Yermak: When we can talk?

[8/2/19, 1:31:04 PM] Andrey Yermak: Will be 1,5 hours in plane

[8/2/19, 1:38:44 PM] Kurt Volker: Hi Andrey â€œ sorry I missed you. Will be free when you land

[8/4/19, 12:39:54 PM] Andrey Yermak: Hi Kurt, how are you? Do you have any news?

[8/4/19, 1:16:37 PM] Kurt Volker: Hi Andrey â€œ speaking w Rudy in about 2 hours â€œ call you after?

[8/4/19, 1:17:17 PM] Andrey Yermak: Yes, of course

[8/4/19, 4:20:55 PM] Kurt Volker: Have still not heard back â€œ other than a text saying â€œgreat meetingâ€œ.

[8/4/19, 4:21:11 PM] Kurt Volker: I think it is late in Spain now so will try again first thing in the morning

[8/5/19, 1:19:18 PM] Kurt Volker: Hi Andrey â€œ had a good long talk w Rudy â€œ call anytime - Kurt

[8/7/19, 1:32:10 PM] Andrey Yermak: Hi Kurt. How are you? Do you have some news about White House meeting date?

[8/7/19, 1:34:35 PM] Kurt Volker: Hi Andrey! Not yet â€œ I texted Rudy earlier to make sure he weighs in following your meeting. Gordon should be speaking with the president on Friday. We are pressing this...

[8/7/19, 1:35:09 PM] Andrey Yermak: Thank you!

[8/7/19, 1:36:07 PM] Kurt Volker: Also â€œ I expect to see pompeo next week as well, but not yet confirmed. Will ask him to help also.

[8/8/19, 3:46:10 PM] Andrey Yermak: Hi Kurt. Can you talk? I have some news

[8/8/19, 4:51:58 PM] Kurt Volker: Hi Andreyâ€œ yes â€œ Now is good â€œ or tomorrow if too late for you now

[8/10/19, 4:46:29 PM] Andrey Yermak: â€œMissed voice call

[8/10/19, 4:53:15 PM] Andrey Yermak: â€œThis message was deleted.

[8/10/19, 4:56:15 PM] Andrey Yermak: Hi Kurt. Please let me know when you can talk. I think itâ€™s possible to make this declaration and mention all these things. Which we discussed yesterday. But it will be logic to do after we receive a confirmation of date. We

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inform about date of visit and about our expectations and our guarantees for future visit. Let discuss it  
[8/10/19, 5:01:32 PM] Kurt Volker: Ok! Itâ€™s late for you â€œ why donâ€™t we talk in my morning, your afternoon tomorrow? Say 10am/5pm?

[8/10/19, 5:02:18 PM] Kurt Volker: I agree with your approach. Letâ€™s iron out statement and use that to get date and then PreZ can go forward with it?

[8/10/19, 5:26:17 PM] Andrey Yermak: Ok

[8/10/19, 5:38:43 PM] Kurt Volker: Great. Gordon is available to join as well

[8/10/19, 5:41:45 PM] Andrey Yermak: Excellent

[8/10/19, 5:42:10 PM] Andrey Yermak: Once we have a date, will call for a press briefing, announcing upcoming visit and outlining vision for the reboot of US-UKRAINE relationship, including among other things Burisma and election meddling in investigations

[8/10/19, 5:42:30 PM] Kurt Volker: Sounds great!

Non Responsive



**Released in Full**

Non Responsive

[4/29/19, 5:01:59 PM] Bill Taylor: What did you volunteer me for?  
 [4/29/19, 5:02:31 PM] Kurt Volker: I can't remember context?  
 [4/29/19, 5:14:18 PM] Bill Taylor: George has asked me to go to Kyiv for a while.  
 [4/29/19, 5:16:52 PM] Kurt Volker: Ah.... good!!!  
 [4/29/19, 5:16:56 PM] Kurt Volker: You should!  
 [4/29/19, 5:17:39 PM] Bill Taylor: George described two snake pits, one in Kyiv and one in Washington.  
 [4/29/19, 5:19:15 PM] Kurt Volker: :) so what's new?  
 [4/29/19, 5:23:05 PM] Bill Taylor: Yes, but he described much more than I knew. Very ugly  
 [5/25/19, 10:07:55 AM] Kurt Volker: Anti-Trust Reform  
 pages <attached: 00000072-Anti-Trust Reform.docx>  
 [5/25/19, 10:21:15 AM] Bill Taylor: I like this a lot.  
 [5/25/19, 10:22:50 AM] Kurt Volker: Thanks! Will need more expert advice, but wanted to kick this off  
 [5/25/19, 10:23:22 AM] Bill Taylor: I look forward to pushing it in Kyiv.  
 [5/26/19, 2:14:39 PM] Bill Taylor: I am still struggling with the decision whether to go. Can anyone hope to succeed with the Giuliani-Biden issue swirling for the next 18 months? Can S offer any reassurance on this issue?  
 [5/26/19, 6:25:42 PM] Bill Taylor: You mentioned that several people have asked you to go out as CDA. I think that is the answer. It

**Released in Full**

wouldn't be that long. No one knows the issues better. People will ask, why isn't Kurt going out -- we already have a special envoy.

[5/26/19, 11:23:10 PM] Kurt Volker: Let's see how it looks on Tuesday ... I don't know if there is much to do about the Giuliani thing, but I do think the key thing is to do what we can right now since the future of the country is in play right now

[5/27/19, 6:47:44 AM] Bill Taylor: It is, and that's why it's encouraging that you would consider being charged during this critical time. I, for one, fully support you -- as would Steve in any way we can.

[5/27/19, 2:33:31 PM] Kurt Volker: But as we discussed -- I can't do it for a variety of reasons, and I am more useful being here anyway. We need someone on the ground there.

[5/27/19, 3:20:12 PM] Bill Taylor: How about for a short period of time?

[5/27/19, 4:22:43 PM] Kurt Volker: I can visit for a day or two, but not longer. Still have all the other commitments here

Non Responsive

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**Released in Full**

[7/1/19, 2:43:27 PM] Kurt Volker: Hi Vadym. At the airport heading up to Toronto. Please tell the president I was unhappy to see the media link my comments about sakharova's claims on sailors with Klimkin's behavior. I was responding directly to Russian MFA claims before Klimkin had said anything, and of course I did not know that Klimkin would do so in a way that undercuts Zelensky. If I can help to reframe this in any way to help Zelensky, let me know. See you later " best " Kurt

[7/1/19, 11:31:14 PM] Vadym Prystaiko: Hi, Kurt, I knew you are a good friend with Pavlo!

[7/2/19, 6:12:48 AM] Kurt Volker: Very funny " thanks " see you in a bit

[7/2/19, 6:42:54 AM] Vadym Prystaiko: yiu still have you sense of humor with you - good sign. see you in a bit

[7/4/19, 8:22:14 AM] Kurt Volker: Thanks for everything. What is your take on our meeting, and the visit overall?

[7/4/19, 1:33:54 PM] Vadym Prystaiko: thank you. it was important contact. I must admit, I felt that you sugarcoated a message on a visit. Or the message I got earlier was not correct. the visit went well - he is fast learner and adapts constantly. Frankly, this one was expectedly easy and friendly. Will introduce him to a tougher ones gradually. What was your reading?

[7/4/19, 1:52:44 PM] Kurt Volker: I wanted to make sure he knew we are supporting him and his stated commitment to reforms " and that there are still concerns at the highest level he needs to address proactively " about Kolo and whether he will really pursue reforms he says. I talked to him privately about Giuliani and impact on president T

[7/4/19, 1:53:51 PM] Kurt Volker: My impression is that he is sincere in wanting to press forward on everything, but doesn't have a full team yet, doesn't quite know how to do it, and and knows there will be tough opposition

[7/4/19, 1:54:36 PM] Kurt Volker: But he made a good impression in Toronto and am sure he will do the same in Washington

[7/5/19, 10:13:31 AM] Vadym Prystaiko: Got it. Thank you. will you advise us on time for telephone call?

[7/5/19, 10:14:12 AM] Kurt Volker: Yes " am hoping we can nail that down on Monday or Tuesday

[7/5/19, 3:52:12 PM] Vadym Prystaiko: Thank you

Non Responsive

**Released in Part**

iMessage  
7/19/19, 4:48 PM

Mr Mayor — really enjoyed breakfast this morning. As discussed, connecting you here with Andrey Yermak, who is very close to President Zelensky. I suggest we schedule a call together on Monday — maybe 10am or 11am Washington time? Kurt

(b)(6)

Monday 10 to 11

(b)(6)

Ok, thank you

I will set up call — 10am — thanks - Kurt

(b)(6)

👍

(b)(6)

Hello

7/22/19, 8:29 AM

Good morning — and congratulations! Looking forward to talking — in 90 min

(b)(6)

Thank you very much! And I'm waiting

(b)(6)

Call at 10 correct?

Yes


(b)(6)

Yes

7/22/19, 10:50 AM

(b)(6)

Thank you, Mr. Mayor for honest and productive conversation. I'm sure things will move quickly from today onwards and we will be able to take this relationship to a new level. If I may have your

**Released in Part** schedule, I will plan a trip to meet in person ASAP.

9/26/19, 10:34 AM

(b)(6)



4:48pm

(b)(6)



I will leave today 3 pm

## Released in Part

iMessage  
8/1/19, 9:55 AM

Hi Mr Mayor — hope all is well, and that things are on track to see Yermak in Madrid.

Am copying Gordon Sondland, a friend of POTUS who is our Ambassador to the EU. He is also helping on Ukraine and would love to catch up with you at some point.

As always, let me know if I can be helpful on anything - Kurt

(b)(6)

Thanks Kurt. Hi Mayor. Working on a number of time sensitive EU issues. Would welcome your take? I'm in Brussels but in DC and NY regularly. Gordon

8/1/19, 11:08 AM

(b)(6)

Seeing Yermak in Madrid tomorrow. Would like to meet with Gordon also.

I will be near Madrid over weekend

(b)(6)

Rudy, great. We met a while back in NY at one of Doug Ducey's events. Had a good talk. Roy Bailey was on the menu 🍷. I will be in DC on the 12. Will you be there or in NY? Have a number of things for you to think about. Gordon

(b)(6)

I will probably be in NYC

(b)(6)

Bkfst @ Peninsula first thing on 8/12? Have to be in DC mid day.

(b)(6)

If I'm here will let you know as soon as I can

8/9/19, 11:27 AM

Hi Mr Mayor! Had a good chat with Yermak last night. He was pleased with your phone call. Mentioned Z making a statement. Can we all get on the phone to make sure I advise Z correctly as to what he should be saying? Want to make sure we

Released in Part

get this done right. Thanks!

(b)(6)

Good idea Kurt. I am on Pacific time.

(b)(6)

Yes can you call now going to Fundraiser at 12:30

(b)(6)

I will have state ops build a call.

State is calling now

8/11/19, 10:28 AM

Hi Rudy — we have heard bCk from Andrey again — they are writing the statement now and will send to us. Can you talk for 5 min before noon today?

(b)(6)

Yes just call

## Released in Part

iMessage with (b)(6)  
5/11/19, 10:04 AM

Hi Mr Mayor - Kurt Volker here. Good speaking w you yesterday. Call anytime up to about 4pm today if you want to follow up. Would like to brief you more about Zelensky discussion and also Russia-Ukraine dynamic.

This number is good for text and cell phone

7/10/19, 8:01 AM

Mr Mayor — could we meet for coffee or lunch in the next week or so? I'd like to update you on my conversations about Ukraine. I think we have an opportunity to get you what you need. Best - Kurt V

Yes I am so n way to Albania. I'll text some suggestions a little later

Great - thank you!

7/15/19, 2:53 PM

Dear Mr. Mayor -- are you back stateside? Let's talk or get together... Best - Kurt Volker

7/17/19, 12:00 PM

Checking in — are you stateside? Kurt V

7/17/19, 1:06 PM

Will be in DC this Friday

Great -- let's meet for breakfast or coffee?

Ok will let you know ASAP

7/18/19, 5:11 PM

Hi Mr Mayor — can I buy you breakfast tomorrow?

Suggest trump hotel - 7:30am or 8:00am?

8:00am is fine

Great — see you there — thanks - Kurt

7/19/19, 8:08 AM

Good morning! Am in the restaurant on the mezzanine. Kurt



**Released in Full**

7/26/19, 5:55 AM

Hi Mr Mayor — you may have heard— the President has a great phone call with the Ukrainian President yesterday. Exactly the right messages as we discussed.

Please send dates when you will be in Madrid. I am seeing Yermak tomorrow morning. He will come to you in Madrid.

Thanks for your help! Kurt

I will arrive on Aug 1 and until 5

Thank you

Great —I will tell Yermak and he'll visit with you there. Thanks!

8/4/19, 12:55 PM

Mr Mayor — how was your meeting with Andrey — do you have time for a call? Best - Kurt

It was excellent I can call a little later.

Great to hear. Maybe 3pm DC time?

8/4/19, 4:10 PM

Is now a good time to call?

8/7/19, 12:52 PM

Hi Rudy —hope you made it back safely. Let's meet if you are coming to DC. And would be good if you could convey results of your meeting in Madrid to the boss so we get a firm date for a visit. Best - Kurt

8/13/19, 9:57 AM

Mr mayor — trying to set up call in 5 min via state Dept. If now is not convenient, is there a time later today?

9/22/19, 8:35 AM

Kurt,  
Thanks for the support. All I need is for you to tell the truth. You called me about Yermak and I reported back to you and Sondland, eg., a

**Released in Full**

conference call on Aug. 11. Three others before.  
Really this is not hard just fair to affirm truth.  
Rudy

Also Secretary seems not to know you put us  
together. Straighten him out.

I certainly will let him know

Please send dates when you will be in Madrid. I am  
seeing Yermak tomorrow morning. He will come to  
you in Madrid.

Thanks for your help! Kurt

Kurt will you please get out a statement that State  
connected me to Yermak and I reported back to  
State on my conversations. Yermak has talked about  
this to Press so it's now public information. All I'm  
asking is to tell the truth. I can send you text chain if  
you need to check your recollection.

Also have Sondland inform Pompeo he can say State  
connected me with Ukraine official and was aware of  
it.

9/22/19, 6:40 PM

Hi Rudy — sorry for delay — just spoke w Secretary  
Pompeo — wanted to be sure we are coordinated.  
We have a statement from Aug 22 that makes clear  
it was coordinated — indeed, that i made the  
connection between you and Yermak.



Was tweeted by NYTimes Ken Vogel at the time

**STATE DEPARTMENT SPOKESPERSON STATEMENT**  
AUGUST 22, 2019

- The United States strongly supports Ukraine as it deepens its democracy, fights corruption, pursues economic reform, and improves its ability to defend itself against Russia's ongoing aggression.
- President Trump has invited President Zelenskyy to visit him at the White House, and both sides are working on the scheduling of such a meeting.
- We understand that the Ukrainian government taking shape under President Zelenskyy is committed to fighting corruption and other illegal activities and that investigations into such matters would be consistent within that overall approach.
- Ambassador Volker has confirmed that, at Presidential Advisor Andrew Yermak's request, Volker put Yermak in direct contact with Mr. Giuliani.
- Mr. Giuliani is a private citizen and acts in a personal capacity as a lawyer for President

**Released in Full**

Trump. He does not speak on behalf of the U.S. Government. We would refer you to Mr. Giuliani for information about the content of Mr. Giuliani's conversations with Ukrainian officials.

@StenyHoyer JUST IN: The @StateDept, which facilitated @RudyGiuliani's communications with the Ukrainian gov't (during which he urged an investigation of @JoeBiden), says Giuliani "acts in a personal capacity as a lawyer for President TRUMP. He does not speak on behalf of the US Government."



**Kenneth P. Vogel**

[twitter.com](https://twitter.com/kpvogel)

Read 9/22/19